

**Bureau of  
Alcohol, Tobacco, Firearms and Explosives  
(ATF)**



**Fiscal Year 2022  
Congressional Budget Submission  
Salaries and Expenses**

**May 2021**

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## **I. Overview for the Bureau of Alcohol, Tobacco, Firearms and Explosives**

### **A. Introduction**

Established as an independent Bureau in 1972, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is responsible for the enforcement and administration of Federal laws and regulations involving firearms and explosives, and for the enforcement of Federal criminal statutes relating to arson. The ATF carefully calibrates its exercise of enforcement and regulatory authorities to maximize public safety, particularly with respect to the reduction of violent firearm crime.

With respect to firearms, the ATF enforces the Gun Control Act and the National Firearms Act (NFA); the two primary laws enacted by Congress to address firearms violence. The ATF also enforces the provisions of the Arms Export Control Act (AECA) addressing the importation of arms, ammunition, and implements of war.

With respect to explosives and arson, the ATF enforces the provisions of Title XI of the Organized Crime Control Act of 1970, including the Safe Explosives Act of 2002 (SEA), the provisions of the Anti-Arson Act of 1982, and the NFA provisions relating to destructive devices. The SEA expanded the scope of explosives regulations administered by the ATF by establishing controls on the intrastate movement of explosives, and by mandating that all persons who receive explosives undergo a background check and obtain a Federal permit.

The ATF protects the public from crimes involving firearms, explosives, and arson; regulates lawful commerce in firearms and explosives; and provides worldwide support to law enforcement, public safety, and industry partners. The ATF regulates the firearms and explosives industries from the point of manufacture and/or importation through retail sale. The ATF's regulatory and enforcement strategies are interwoven to provide a comprehensive approach to its mission, and the ATF establishes partnerships in all aspects of its law enforcement, regulatory, training, and forensic mission areas to maximize its effectiveness in preventing violent crime. The ATF works with its regulated industries to prevent violence and safeguard the public while endeavoring to minimize regulatory constraints that impact lawful commerce in firearms and explosives.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <https://www.justice.gov/doj/fy-2021-CJ>.

#### ATF's Business Model: Frontline

The ATF's public safety mission is broad and its role in combatting firearm violence is critical to our Nation's priority of reducing violent crime in our communities. The ATF maximizes resources and provides optimal return on investment to the American taxpayers through its business model, Frontline, that uses risk analysis and intelligence assessment to allocate resources with an emphasis on the public safety mission. Frontline emphasizes a standardized

way of doing business both internally and externally through strong leadership, transparency, accountability at all levels, and streamlined measurements of effectiveness and accomplishments. Field division domain assessments are a core Frontline tool. Domain assessments are comprehensive, intelligence-driven annual assessments that identify and analyze significant violent crime problems and industry compliance issues within each field division's area of responsibility. They propose a plan of action within the limits of available resources to mitigate or eliminate these threats.

This process often requires the ATF to balance immediate operational demands with longer-term investment in essential information technology, human capital development, and forensic science infrastructure. The ATF has addressed the Department's priorities to reduce gun violence and revitalize the Project Safe Neighborhoods (PSN) initiative over the past two fiscal years by focusing resources to enhance operational results from firearm investigations and by providing support to law enforcement partners in these investigations. ATF initiatives, described further below, include expansion of the National Integrated Ballistics Information Network (NIBIN), expansion of the NIBIN National Correlation and Training Center (NNCTC), enhancement of ATF Crime Gun Intelligence Centers (CGICs), and establishment of ATF Crime Gun Strike Forces (CGSFs) in cities experiencing extreme spikes in firearm violence, such as Chicago.

### *Results*

ATF criminal investigative efforts focus on reducing violent crime by targeting domestic and international firearms traffickers, violent criminal organizations, armed violent offenders, and career criminals. The ATF works to reduce violent crime by targeting and dismantling the criminal organizations that pose the greatest threat to public safety. Criminal organizations, including gangs, use guns to terrorize communities, enforce territorial boundaries, retaliate against rivals and witnesses, and facilitate the growth of their criminal enterprises. The ATF has wide-ranging experience investigating, infiltrating, and dismantling criminal organizations that menace many communities, ranging from international gangs like MS-13 to national gangs like the Crips, Bloods, and Aryan Brotherhood to smaller "street crews".

This focus has yielded outstanding returns on taxpayer investment: ATF investigations have substantially contributed to record increases in the Department's prosecution of firearms offenses in FY 2018, 2019 and 2020. In FY 2020, the ATF initiated over 37,000 criminal firearms investigations and referred more than 15,000 defendants for prosecution on firearms offenses in spite of the temporary closure of United States Attorney Offices across the country due to the COVID pandemic. These investigations focused on armed violent offenders – the "trigger-pullers" who terrorize our communities and the firearms traffickers who supply guns to criminals and criminal organizations. With ATF support, state and local law enforcement agencies have increased their effectiveness in firearms investigations, as reflected by the substantial increase and record number of firearms trace requests submitted to the ATF National Tracing Center (NTC). The rate of growth in tracing has accelerated in last 12 months. In FY 2020, the NTC received 490,844 trace requests, 8 percent more than the 452,047 trace requests received in FY 2019. The NTC is currently forecasting a 12 percent increase for FY 2021. In March 2021 alone, the NTC received over 49,000 trace requests – the highest ever received for a single month and a significant increase (almost 8 percent) over any previous monthly count.

## *Crime Gun Intelligence*

The ATF uses Crime Gun Intelligence (CGI) in virtually all firearms-related violent crime investigations. CGI combines all available information on crime guns and shooting incidents to disrupt the cycle of firearm violence by providing otherwise unavailable information to investigators, who use the CGI data to identify offenders illegally purchasing or transferring firearms and the offenders who use firearms to commit violent crimes. The ATF applies these CGI principles in its execution of the Department of Justice (DOJ) PSN initiative. The preceding two years of this program have been instrumental in decreases in violent crime and increases in the overall number of Federal gun prosecutions.

The ATF's NIBIN and NTC are two primary sources of crime gun data. NIBIN is the only interstate automated ballistic imaging network in operation in the U.S., and is available to every major population center in the U.S. as an essential tool to combat firearm violence. NIBIN allows firearm technicians and examiners to review digital images of shell casings and projectiles to determine if they were expelled from the same firearm, creating links between shootings and gun recovery events. By applying consistent protocols that emphasize prompt NIBIN processing, the ATF gives investigators actionable leads that result in faster identification and apprehension of violent offenders – often before they can commit further offenses. The NTC, which is the sole entity able to trace firearms from manufacture to the point of first retail sale, also provides investigators valuable intelligence and leads. By tracing crime guns recovered by law enforcement, the ATF discerns patterns that aid in identifying the diversion of firearms into illegal commerce.

Additionally, the ATF has established several CGSFs dedicated solely to intelligence-driven targeting of violent offenders and the timely follow-up of crime gun intelligence leads through proven protocols. CGSF protocols align with the PSN initiative focus on reducing violent firearm crime, and include the full range of CGI such as ballistic evidence, crime gun processing, timely lead generation, and robust and effective intelligence.

Federal Firearms License (FFL) burglaries, thefts, and robberies are a significant source of illegally trafficked firearms and directly fuel violent crimes involving guns. The ATF works to identify, arrest, and prosecute criminals and recover stolen firearms as soon as possible, thus mitigating the substantial threat they pose to public safety. As reported burglaries peaked in calendar year (CY) 2017), the ATF implemented a policy of responding to all FFL burglaries and robberies with teams consisting of both SAs and IOIs, and expediting the processing of evidence from these incidents in its forensic laboratories. The ATF also developed an automated system that sends urgent alerts about FFL burglaries and robberies to other FFLs in the geographic area where the incident has occurred, allowing them to take additional precautionary measures.

In CY 2020, FFL burglaries increased by 42 percent over CY 2019, rising from 343 to 493. This represents the first overall increase since CY 2017. Meanwhile, robberies fell from 26 in CY 2019 to 22 in CY 2020.

The ATF has sole Federal regulatory authority over FFLs authorized to engage in the business of manufacturing, importing, or selling firearms in the U.S. The ATF conducts licensing

qualification investigations on those who seek to engage in the business of firearm manufacture and dealing, issues FFLs, administers regulations applicable to FFLs (including recordkeeping requirements for the acquisition and disposition of each firearm), and conducts FFL inspections. ATF inspection of firearms licensees is focused not only on ensuring regulatory compliance, but also on detecting diversion from lawful commerce and identifying “straw purchasers” who illegally purchase firearms to supply guns to criminals.

Illegally trafficked firearms are harmful to communities and have a negative impact on interstate and international commerce. Illegal firearms are the “tools of the trade” that drug traffickers, gang members, and other violent criminals use to commit crimes. The goal of the ATF’s illegal firearms trafficking enforcement efforts is to reduce violent crime by stemming the flow of firearms to violent criminals. The ATF identifies, investigates, and arrests individuals and organizations that illegally supply firearms to prohibited individuals. Furthermore, the ATF deters the diversion of firearms from lawful commerce into the illegal market with enforcement strategies and technology. These include, but are not limited to, the creation, analysis and use of CGI developed from NIBIN through the NIBIN Enforcement Support System (NESS), crime gun trace data, multiple sales reports, FFL compliance inspections, and other sources of information that depict firearms trafficking indicators.

### *Bombings, Explosives, and Arson*

The ATF is recognized for its expertise in bombing and explosives investigations and in the reconstruction of explosives incidents. The ATF’s SAs and forensic personnel, highly trained in the investigation of post-blast scenes, also provide training to Federal, State, local, tribal, and international law enforcement agencies in methods and techniques to solve such crimes. As an integral part of the ATF’s overall violent crime reduction strategy, the ATF’s Explosives Program provides vital resources to local communities to investigate explosives incidents.

The ATF also has primary Federal jurisdiction over the investigation of arson crimes, and is uniquely equipped for this mission with specialized capabilities, expertise, and experience. The ATF responds to fires of Federal interest and investigates arson-for-profit schemes. In many cases, the ATF’s unique knowledge, technical resources, forensic capabilities, and jurisdictional authority are essential in solving arson related crimes and removing arsonists from a community. This role became particularly relevant during the civil unrest over the summer of 2020, during which there was an uptick of many potential arson incidents in several field divisions requiring investigation. The ATF’s National Response Team (NRT) supports major arson and explosives investigations such as the Christmas Day 2020 bombing in Nashville. The NRT’s highly trained SAs, forensic chemists, engineers, and other technical experts can be deployed within 24 hours to large-scale explosion and fire scenes anywhere in the U.S. The NRT assists state and local officers in fire and explosives incidents with examination of the scene, interviews, support for follow-on investigations, and expert court testimony.

As the primary Federal law enforcement agency that regulates the explosives industry, the ATF enforces the Safe Explosives Act (SEA) and licenses businesses and individuals that engage in manufacturing, importing, or dealing in explosives, or receiving or transporting explosives materials. The SEA expanded the scope of explosives regulations administered by the ATF by



establishing controls on the intrastate movement of explosives, and by mandating that all persons who receive explosives undergo a background check and obtain a Federal permit.

The ATF's criminal and regulatory programs are a key means by which the U.S. Government enforces Federal explosives laws and prevents criminals and terrorists from obtaining explosives for use in bombings. Federal law requires that any manufacturer, importer, or dealer of explosives must have a Federal explosives license. Individuals who acquire, possess or transport explosives must hold a Federal explosives permit. The ATF establishes standards for the storage of explosives materials to which licensees must adhere. IOIs conduct compliance inspections to prevent diversion and promote the safe and secure storage of explosives. IOIs also detect and assist in explosives diversion investigations. When a significant safety hazard or loss of explosives is discovered, IOIs directly address these incidents to ensure the threat is mitigated.

### *Partnerships and Activities*

The ATF continues to leverage, build, and rely on a full spectrum of interagency partnerships to prevent terrorism and abate violent crime: Federal, State, local, tribal, and international law enforcement agencies; other public safety agencies; communities; and industry. The ATF partners with these entities to safeguard the public through information and intelligence sharing, training, research, the use of technology, and as the DOJ lead agency for coordination of Emergency Support Function (ESF) #13, Public Safety and Security, under the National Response Framework (NRF).

Resources and activities that support ATF law enforcement operations comprise the Investigative Support Services decision unit. Core activities include, but are not limited to, firearms and explosives licensing and other firearms industry services; firearms tracing; NIBIN; National Center for Explosives Training and Research (NCETR); United States Bomb Data Center (USBDC); Terrorist Explosives Device Analytical Center (TEDAC); Internet Investigation Center (IIC); ATF laboratories; financial investigations; external collaboration; and ESF #13.

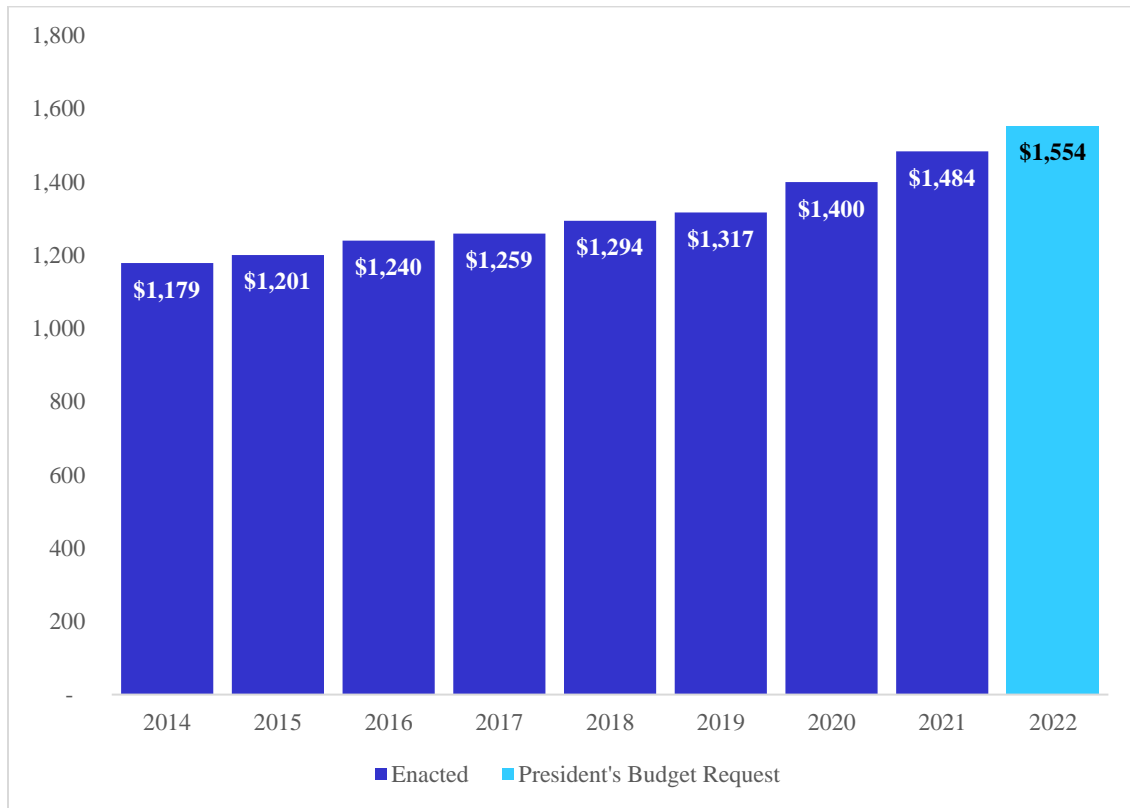
### **FY 2022 Budget Request**

The ATF's FY 2022 budget request totals \$1,554,461,000 for Salaries and Expenses (S&E), with 5,410 total positions and 5,073 full-time equivalents (FTE). Included within this amount is \$47,184,000 for base adjustments that are essential to maintain core resources and the current services level of special agents (SAs), industry operations investigators (IOIs), and support professionals. This request also includes \$23,390,000 in program enhancements to support Bureau missions.

### *Maintaining Current Services*

The FY 2022 request includes \$47.1 million in base adjustments to maintain current services. Within this amount, \$39.8 million funds pay and benefits to continue support of SAs, IOIs, and other personnel; \$7.3 million supports domestic rent, facilities, and relocation costs for ATF offices, laboratories, and training centers nationwide; and \$0.1 million supports foreign expenses for ATF international programs.

**Chart 1. ATF Appropriated Funding, by Fiscal Year  
(\$ in millions)**



### **FY 2022 Program Enhancements**

This FY 2022 budget request contains four program enhancements for S&E totaling \$23.4 million and 125 positions.

#### *Crime Gun Intelligence*

The ATF plays a vital role in the Department's efforts to reduce violent crime and protect our communities through a CGI-based strategy. The ATF's holistic violence reduction plan focuses on integrating the investigative expertise of SAs and IOIs, analytical expertise of the Intelligence Research Specialist (IRS) and analyst cadre, technology, and forensics. This program increase provides \$5.3 million and 12 positions to enhance CGI by increasing ATF's capability to perform NIBIN correlation reviews and training for law enforcement agencies nationwide at the NNCTC. It will supply NIBIN equipment and program support for five ATF field divisions in accordance with the DOJ MOU to support our Federal partners in the Division NIBIN Program and Field Support Program (*Phase One*).

### *Forensic Services*

The ATF's dedication to reducing violent crime is demonstrated by the specialized skills and knowledge central to the operation of its Forensic Science Laboratory. This program increase provides \$4.3 million and 29 positions for initial development of a high-throughput, rapid-processing unit to analyze DNA from fired cartridge cases (FCCs).

FCCs are frequently the only evidence available following violent gun crimes. Due to past challenges in recovering usable latent prints or DNA from FCCs, the ATF's criminal investigators and state and local partners have had limited forensic tools to connect suspects to violent gun crimes. Recognizing that successful DNA analysis begins at the crime scene, the ATF forensic lab designed a new method for collection and analysis of DNA from FCCs. The lab designed and patented a collection device specifically targeted to FCCs that has been shown to be effective in real world samples from actual shooting incidents.

Following the ATF's mandate that cartridge cases from crime scenes be entered into NIBIN within 48 hours of collection, there has been an unintended consequence of the loss of forensic evidence from these items due to laboratory turnaround times. This program increase will greatly improve both the efficiency and timeliness of DNA analysis, thereby allowing for rapid entry of the FCCs into the NIBIN database. When implemented, criminal investigators will be able to capitalize not only on the benefits of NIBIN for linking multiple shooting scenes to one another, but also on the forensic lab's ability to linking evidence from a shooting scene to an individual. The combination of FCC DNA forensic analysis and the strength of the NIBIN database will be a formidable tool in the fight against violent gun crime.

### *FFL Theft: Outreach and Compliance*

Every firearm stolen from FFLs poses a threat to public safety. Stolen firearms are crime guns; they fuel illicit trafficking and are used by violent criminals to terrorize our communities. In July 2018, the ATF began requiring investigation into all firearm thefts from FFLs. The ATF investigates all FFL robberies and burglaries using the combined resources of SAs and IOIs. A national review and assessment of FFL burglaries and robberies provides the ATF leadership with the information necessary to make decisions regarding the staffing and resources needed for firearms burglaries investigations, FFL vulnerability to burglaries and robberies, and other acts of firearms violence.

This program increase provides \$12.7 million and 84 positions, including 79 IOIs, to support prioritization and investigation of FFL burglaries and robberies, firearms trafficking investigations and follow-up of CGI leads. The IOIs will focus on increasing compliance and outreach relative to Federal firearms and explosives laws, regulations and provisions. The request also includes five Intelligence Research Specialists (IRS) who will analyze, evaluate and synthesize information to support IOI inspections. The IRSs will also leverage crime gun intelligence capabilities in support of FFL burglary, robbery and theft investigations.

### *TFO Body Worn Camera*

The Department of Justice announced in October 2020 that DOJ “will permit state, local, territorial, and tribal task force officers to use body worn cameras on Federal task forces around the nation. The Department’s policy will permit federally-deputized officers to activate a body worn camera while serving arrest warrants, or during other planned arrest operations, and during the execution of search warrants.” The policy is the result of a pilot program launched by the Department in October 2019 and applies to the extent that a Task Force Officer’s (TFOs) parent agency requires Body Worn Camera (BWC) use during Federal task force operations.

This program increase provides \$1.0 million for digital case management software and video cloud storage from BWCs of federally-deputized TFOs, to support the TFO and the TFO’s parent agency while the TFO is serving on a Federal task force directed by the ATF. Video storage is one of the most costly aspects of a BWC program, and Federal support for these digital storage requirements will allow the ATF to maintain and increase partner agency participation in the Department’s task forces.

BWC use by the ATF’s state and local partners has become a useful tool to improve community relations, lower the number of citizen complaints, defend officers against false accusations, increase accountability, and improve officer training and evaluation. Allowing our partner agencies to comply with their home agency’s internal BWC policy, pursuant to and with direction from the DOJ policy, will allow partner agencies previously prohibited from serving in ATF Federal task forces to reconsider task force participation.

## **B. Background**

This request supports ATF capacity to actively combat violent crime and enhance public safety through several mission areas.

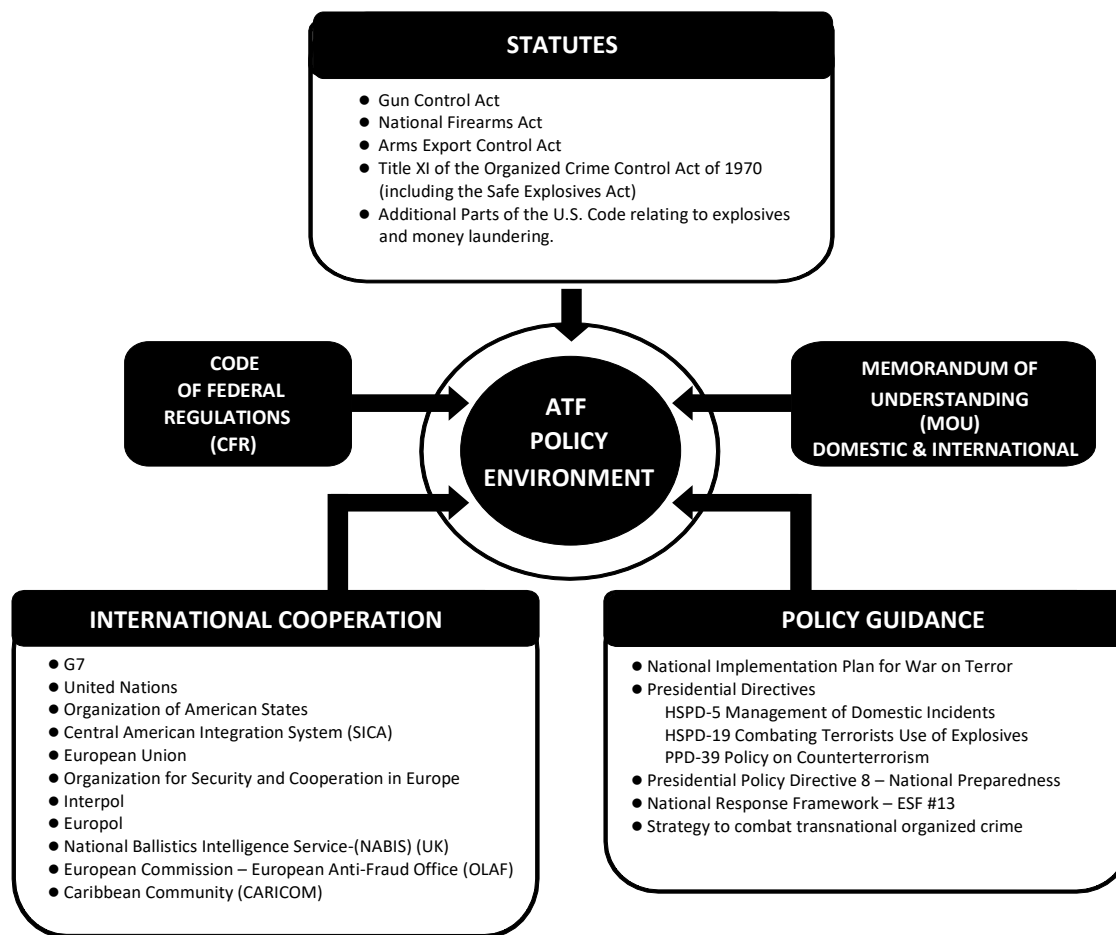
1. Engage in critical law enforcement and industry regulation activities which prevent and reduce violent crime related to:
  - Illegal Firearms Trafficking and Violent Crime
  - Firearms Criminal Possession and Use
  - Firearms Industry Operations
  - Criminal Organizations
  - Misuse of Explosives, Bombs and Bombings
  - Explosives Industry Operations
  - Research Fire and Investigative Arson
2. Provide vital services to support and improve public safety, including but not limited to:
  - Firearms and explosives licensing services
  - Firearms tracing
  - NIBIN

- NCETR
- ATF laboratories
- ESF #13

The Frontline business methodology, a key component of the ATF's risk management strategy, supports the ATF's continuing commitment to improve oversight of its efforts to meet mission goals and increase efficiency. Under Frontline, Deputy Assistant Directors (DADs) and their Special Agents in Charge (SACs) review completed domain assessments each year and agree on implementation. Performance reviews are conducted semi-annually, and performance data extracted from the ATF's case management systems are provided to field division managers and Headquarters DADs to facilitate the review process. Managers compare field division activities against their domain assessment priorities to ensure that resources are utilized in accordance with the domain assessment plan and goals are met.

Frontline investigations and discretionary inspections are driven by actionable intelligence and crime information. Efficient and streamlined use of intelligence are the core of establishing investigative priorities. Proper collection and processing of data and dissemination of the intelligence are necessary for the ATF to successfully conduct intelligence-driven investigations and inspections. The Frontline methodology is the annual "implementation plan" that integrates the goals of the ATF's Strategic Plan in each field division.

**Chart 2: ATF Mission and Budget Strategy  
Policy and Legislative Environment**



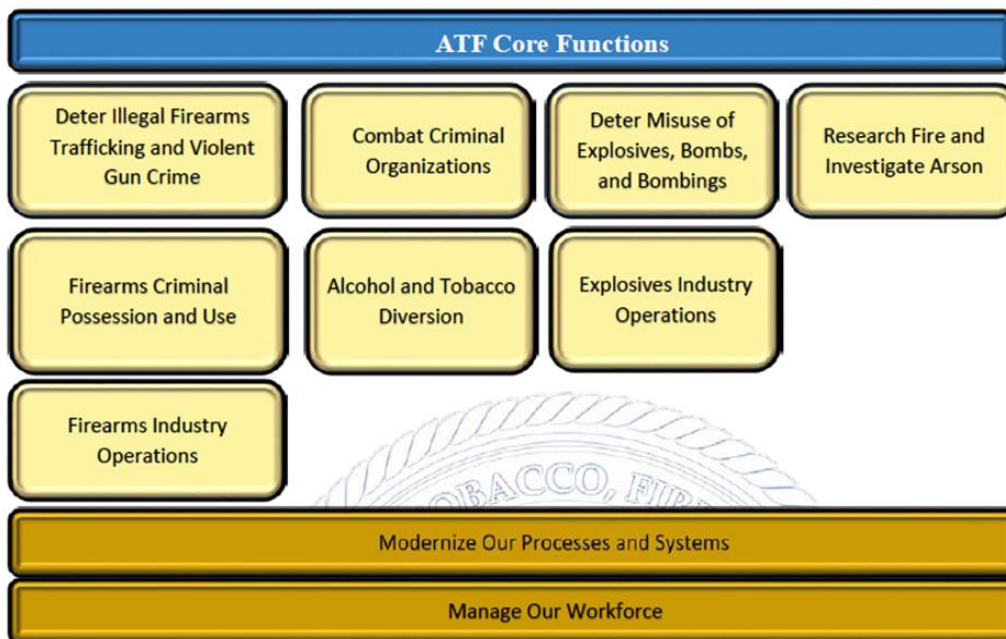
### **DOJ Strategic Goals**

The ATF mission and budget strategy support the Department’s strategic plan. As the plan is updated, the ATF coordinates its activities, including budget preparation, to account for revisions that ensure agency actions align with the Department’s strategic goals and objectives.

### **ATF Priorities**

The ATF reduces violent crime by enforcing Federal laws and regulations related to firearms, criminal organizations, explosives, and arson groups; the agency organizes its activities into core functions that reflect these activities. The ATF’s Executive Staff has prioritized organizational focus and resources on these core functions and their corresponding strategic goals.

**Chart 3. ATF Core Functions**



**FY 2017–2022**

### **Agency Strategic Goals and Performance Goal Measures**

#### **Mission Activities**

#### **Strategic Goal 1: Deter Illegal Firearms Trafficking and Violent Gun Crime**

Utilize effective firearms enforcement techniques to reduce violent firearm-related crimes in the U.S. and abroad, thereby enhancing public safety.

- Performance Goal 1: Impact the threat to public safety caused by illegal firearms trafficking.
- Performance Goal 2: Impact the threat to public safety caused by the criminal possession and use of firearms.
- Core Functions:
  - Deter Illegal Firearms Trafficking and Violent Gun Crime
  - Firearms Criminal Possession and Use
  - Firearms Industry Operations

#### **Strategic Goal 2: Combat Criminal Organizations**

Make our communities safe by identifying, targeting, and dismantling those criminal organizations that utilize firearms, arson, and explosives in furtherance of violent criminal activity.

- Performance Goal: Impact the threat to public safety caused by criminal organizations.
- Core Functions:
  - Combat Criminal Organizations
  - Alcohol and Tobacco Diversion

### **Strategic Goal 3: Deter Misuse of Explosives, Bombs, and Bombings**

Advance domestic and international explosives expertise to prevent, detect, and investigate acts of violent crime and terrorism, and to enhance public safety.

- Performance Goal: Impact the threat to public safety caused by bombs and explosives.
- Core Functions:
  - Deter Misuse of Explosives, Bombs, and Bombings
  - Explosives Industry Operations

### **Strategic Goal 4: Research Fire and Investigate Arson**

Advance the science of fire investigation globally, by setting and delivering the highest standards in response, research, information sharing, and training.

- Performance Goal: Impact the threat to public safety caused by the criminal use of fire.
- Core Function:
  - Research Fire and Investigate Arson

## **Management Activities**

### **Strategic Goal 5: Modernize Our Processes and Systems**

Modernize business processes and systems for improved information sharing, knowledge management, and use of innovative technologies to support the ATF's critical mission.

- Performance Goal: Modernize business processes and systems for improved mission effectiveness and transparency.

### **Strategic Goal 6: Manage Our Workforce**

Attract, develop, retain a diverse expert, and high performing workforce to execute the ATF's mission and administrative responsibilities in the current and emerging business environment.

- Performance Goal: Attract, develop, and retain an expert workforce to execute the ATF mission.

## **C. Challenges**

The ATF faces substantial external and internal challenges affecting its ability to meet mission critical goals and objectives. These include, but are not limited to:

- Responding to persistent pockets of violent gun crime in cities across America, and reported FFL burglaries, thefts, and robberies;



- Keeping pace with an unprecedented increase in the volume of NFA weapon applications due largely to changes in state laws regarding silencers and other NFA weapons, as well as with out-of-business records (OBR);
- Establishing and funding a technology refresh strategy to modernize and better integrate the ATF's outdated information and forensic technology assets, infrastructure, and services that are essential to execute coordinated and comprehensive violent crime reduction strategies, such as case management, firearms tracing, NFA, and NIBIN;
- Improving productivity and customer service in the face of significant increases in workload requirements in both the law enforcement and services elements; and
- Meeting the ongoing hiring, training, and knowledge transfer demands posed by the retirement and attrition of SAs and experienced staff.

## **External Challenges**

### *Crime Rates*

According to the FBI's 2019 Uniform Crime Report (UCR) data<sup>1</sup>, the overall number of violent crimes in the U.S. decreased 0.5 percent from 2018 to 2019. Murders increased by 0.3 percent nationally and the murder rate (murders per 100,000 people) decreased by 0.2 percent. Notwithstanding the overall reduction in violent crime and murders, however, 31 states witnessed higher homicide rates in 2019. Similarly, 33 states witnessed increased rates of aggravated assault. Nationally, 10,258 or 73.7 percent of all murders were committed with a firearm. In total, the UCR reports that over 293,761 victims were murdered, robbed, or assaulted with a firearm in 2019.

Regrettably, UCR data also indicates that the overall rate of violent crimes cleared by arrest was 45.5 percent, and 61.4 percent of murders were cleared by arrest (no data is available for the percentage of murders with a firearm cleared by arrest). Robberies with a firearm were cleared at a rate of 22.2 percent. Aggravated assaults with a firearm were cleared at a rate of 31.3 percent. Of the 32,981 arson offenses reported, 23.8 percent were cleared by arrest or other exceptional means.

Violent gun crime is an external challenge that has strained the ATF's ability to respond to requests for assistance and the needs of the nation's cities and citizens most affected by violence in the U.S. To support State and local law enforcement requests for ATF assistance with firearm violence, the ATF continues to vigorously recruit and train its cadre of special agents and to make Federal resources available to those State and local jurisdictions that need assistance in combating spikes in gun violence (e.g.: Chicago CGSF).

### *FFL Burglaries, Thefts, and Robberies*

The ATF continues to respond to reported FFL burglaries, thefts, and robberies, which are a significant source of illegally trafficked firearms and directly contribute to the rise in violent gun

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<sup>1</sup> <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019>

crime. FFL burglaries rose by 43 percent from calendar year (CY) 2013 through CY 2020 (from 348 incidents to 497), while FFL robberies rose by 144 percent during the same period (from 9 incidents to 22). The number of firearms stolen during FFL burglaries and robberies increased in CY 2020 to 6,617 compared to 4,924 in CY 2019.

Investigative experience shows that each of those stolen firearms is almost assuredly destined for criminal use in the immediate area of the theft. The ATF is devoting all necessary resources to confront the surge in crimes against FFLs as an urgent public safety matter by identifying the perpetrators and recovering as many stolen firearms as possible. The ATF responds to all FFL burglaries and robberies with both SAs and IOIs, and makes the ATF's laboratory services available on an expedited basis to process evidence and provide timely leads to investigators. In concert with these efforts, the ATF has developed a system to send out alerts on FFL thefts to other FFLs in the geographic areas near thefts.

### *Firearms Commerce*

Growth in firearms commerce continues to challenge the ATF. The significant workload increases are due, in large part, to changes in many state laws that directly affect the ATF's regulatory workload. For example, from FY 2012 to FY 2016, the ATF experienced a 260 percent increase in NFA weapon applications. Based on actual data received in the first quarter of FY 2021, NFA anticipates a total volume of NFA forms could be 638,000. This amount received would surpass the previous highest year of FY 2016 by nearly 100,000.

The ATF's goal, reported to the Department quarterly, is to process all NFA requests within 90 days. Only 19.6 percent of NFA tax paid applications met this standard in FY 2020. NFA applications, however, have far outpaced the number processed, leading to backlogs. One of the primary drivers for this increase is the changes in state laws that allow for the use of silencers (a NFA-regulated firearm) for hunting and sporting purposes. Even with the support of redirected industry operations personnel resources, the ATF continues to struggle to meet performance targets, and wait time remains significant.

Another external challenge for the ATF, directly attributable to the dynamics of firearms commerce, is meeting the workload demands associated with the substantial turnover in the composition of the licensed industry. Excluding collectors, the ATF issued original FFLs to over 52,000 new members of the firearm industry between FY 2014 and FY 2020. Only 31 percent of those new licensees are still in business today. Over the past 5 years, the ATF has conducted nearly 65,325 qualification inspections and assisted an average of 13,065 new business entities per year (50 per workday) in their efforts to establish and operate a lawful firearms business.

While the overall size of the industry has remained relatively constant during the same period, the turnover in the population of industry licensees creates a corresponding increase in the number of qualification and compliance inspections the ATF must conduct. Moreover, the ATF must act on a new license application within 60 days of receipt; therefore, new licensees who often require more ATF technical assistance create significant additional demand for the ATF's inspection resources to timely facilitate lawful commerce in firearms. This transition in the industry challenges the ATF's ability to conduct basic, scheduled compliance inspections, and to

meet its goal of conducting compliance inspections on all dealers, pawnbrokers, manufacturers, and importers once every three years in the license cycle.

Performing timely FFL compliance inspections has also been challenging due to longer time commitments required by the ATF's IOIs to conduct a thorough inspection of the FFL. As the volume of firearms commerce continues to increase, the number of individual firearms records and transactions that FFLs maintain has significantly increased, leading to lengthier inspection times. Additionally, under the ATF's risk based inspection program, the ATF focuses on those licensees with actual or potential compliance problems. These at-risk compliance inspections are often more complex, requiring greater IOI resources.

In FY 2020, the ATF was able to complete approximately 6,340 FFL compliance inspections, a decrease of 52.7 percent over FY 2019 due to the COVID pandemic and local/national quarantine protocols. The lack of timely inspections presents an immediate and sustained risk to public safety. The ATF utilizes risk-based assessments to focus limited inspection resources on entities that have been identified as potentially at risk for non-compliance. These at-risk assessments look for indicator of regulatory and criminal violations. However, as the DOJ Office of Inspector General (OIG) has noted, "additional actions are needed for the ATF to fully achieve its goal of keeping communities safe and secure by detecting and preventing the sale of firearms to individuals who are prohibited from possessing them."

To confront this challenge, the ATF's budget request prioritizes the recruitment, training and deployment of additional IOI resources that will enhance capabilities associated with regulatory inspections, industry compliance and FFL outreach. Enhancing the ATF's IOI workforce will begin to address the on-going problems of the diversion of firearms from legal commerce and illegal firearms trafficking, which contribute to the fueling of gun violence.

The NTC Division received more than 490,000 trace requests in FY 2020, an 8.4 percent increase over FY 2019 and an increase of 43.1 percent over the past ten years. The NTC processed 68 million out-of-business paper records and another 111 million electronic out-of-business records in FY 2020, a 19 percent increase over the prior year. During FY 2020, the NTC entered 1.2 million firearms as part of multiple sales, a 228 percent increase in the last decade. Between these and other records, the NTC enters 168.5 million more records now than 10 years ago, with fewer personnel. About 87 percent of the NTC is staffed by contracted employees, and the remaining are ATF personnel.

The NTC uses a system named eTrace to provide law enforcement with a means to send trace requests and receive trace results. The eTrace application is currently used by 8,439 law enforcement agencies with over 59,294 users throughout the United States and in 44 other countries. eTrace currently serves as the primary trace data collection and dissemination tool for the global law enforcement community, however there have been no functional enhancements to the application since version 4.0 (Spanish eTrace) was deployed in March 2010. Furthermore, NTC firearms tracers must use multiple incompatible systems to obtain a single disposition within a trace request, most of which do not permit the user to cut and paste information between them. This includes NTC Connect, a system that allows the NTC to query the transaction records of participating firearms manufacturers, importers, and wholesalers by a single serial

number to obtain a disposition. When processing out-of-business records into the imaging system, tracers can only retrieve most of these by FFL number, which requires searching thousands of electronic records (and in some instances paper) to look for a single firearm.

The NTC seeks to automate nearly the entire process, relying on manual intervention only in exceptional circumstances, to improve efficiency and reduce unnecessary processing delays. Accomplishing this objective involves three approaches: (1) consolidation and integration of systems into eTrace with a complete configurable workflow process, (2) linkage to an automated NTC Connect query process, and (3) linkage to the image repository with indexing by key data elements (i.e.: FFL number, transaction date, and firearms description). To meet workload demands in the interim, ATF must increase current contract performance measures.

Modernization and consolidation of all trace processing, validation, workflow, and reporting functions into a single standard web-enabled firearms tracing application (eTrace) would significantly improve the NTC Division's operational efficiency and accuracy, reduce costs, improve timeliness, and provide value-added investigative capabilities for ATF partners.

## **Internal Challenges**

### *Attrition*

While the ATF continues to be challenged by the on-going attrition of its special agent workforce, the ATF is also continuously updating its hiring models and recruitment systems to ensure that these challenges related to attrition are addressed in the most aggressive manner possible. The ATF has vigorously leveraged training capabilities at the ATF Academy located at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA to ensure that the ATF is maximizing training capabilities to meet the challenges posed by special agent attrition.

The ATF currently has 2,614 Special Agents. The mandatory retirement age for Federal law enforcement agents is 57, per 5 U.S.C. §§ 8335 and 8425. In the next three years, 682 current ATF SAs will become eligible to retire and 161 will reach mandatory retirement age. Of the 2,614 agents, 479 (18.3 percent) of the current agent cadre are age 50 or above.

Agents eligible to retire include special agents with highly specialized skill sets such as Certified Fire Investigators (CFIs), Certified Explosives Specialists (CEs), agents on the Special Response Teams (highly-experienced, specially-trained agents who deploy to complex, high risk law enforcement operations), and agents on the NRT who deploy to complex explosives and fire incidents. Most importantly, these special agents are the ATF's most experienced personnel, those who conduct criminal investigations nationally and train new agents. Their experience and capabilities are invaluable to the development of the next generation of the ATF special agents, as it typically takes a minimum of 3-5 years of close mentoring and on-the-job training for a new special agent to acquire the skills necessary to achieve full productivity levels. Lastly, the majority of ATF's senior SES executives are also eligible for retirement.

## *Training*

Over the last eight years, the ATF has escalated agent hiring to offset increased attrition and address shortfalls stemming from the FY 2011-2013 hiring freeze. The ATF National Academy, which is housed at FLETC, completed four agent classes of 24 trainees in FY 2019. The ATF has hired 186 SAs during FY 2020; however, the COVID-19 pandemic significantly disrupted training of these new hires when FLETC shut down multiple times temporarily due to concerns about community spread of the virus. Additionally, the COVID pandemic has again disrupted the training of newly hired special agents and industry operations investigators in FY 2021.

FLETC has capped the “in-residence” student population to 1,500 trainees. This restriction, coupled with temporary delays in training due to COVID have delayed training and caused lost classes for special agents. Due to these restrictions, ATF is exporting the industry operations investigator training to Huntsville, Alabama.

The FLETC shutdown resulted in a significant delay in training delivery, because the newly hired SAs began their careers in local field divisions rather than starting at the ATF National Academy. Alternate training for these new agents had to be developed quickly and delivered via remote learning methodologies. These SAs returned to the ATF National Academy as FLETC resumed operation, and FY 2020 hires will be training at FLETC well into FY 2021.

In addition, the ATF implemented a major revision of the SA on-the-job training (OJT) program, streamlining and focusing objectives, and reporting criteria to ensure new agents receive appropriate experiential learning during their first two years. As of the end of FY 2020, over 360 SAs are engaged in their on-the-job training program.

The ATF has also implemented new leadership development programs to prepare existing agent cadre for management and executive positions, including a new introduction to leadership training and partnerships with both the U.S. Army War College and the 9/11 Memorial and Museum. The ATF continues to offer advanced training for all SAs, IOIs and new CFIs, CESs, and other specialty positions to leverage current agent and investigator experience and facilitate knowledge transfer to newer agents and investigators.

## **Decision Units**

Each fiscal year, the ATF develops its annual spend plan based on historical decision unit (DU) spending trends, current services funding requirements, and program changes. ATF continues to assess options for better management of DU allocations. This includes addressing short-term solutions, processes, and IT systems that can more effectively allocate resources by DU, monitoring DU budget execution, and achieving DU targets within reprogramming thresholds.

## **Addressing ATF’s Challenges**

The FY 2022 request will provide the funding necessary for ATF to focus efforts on the communities most affected by violent crime, continue addressing the external and internal

challenges outlined above, and leverage and sustain gains from prior years. The ATF seeks to maintain the effective investments made in areas that remain critical to securing the safety and security of our country and to strengthen and build upon them incrementally.

This request will serve to enhance the Administration's efforts to reduce gun violence across the U.S. by sustaining the smart incremental investments in proven programs supported over the past several years. This investment will continue to support the ATF's ability to collaborate with our Federal colleagues as well as our State and local partners who are critical to the abatement of violent crime in America's cities and neighborhoods. For example, the requested NIBIN enhancement will focus on reducing firearms violence through evidence-based targeting, investigation, and prosecution of "trigger-pullers" and their sources of crime guns.

The ATF will also continue its comprehensive risk-based approach towards mitigating critical infrastructure deficiencies in personnel, oversight, management, operational capacity, and fixed operational costs.

## II. Summary of FY 2022 Program Changes

Item Name	Description				Page
	Purpose	Pos.	FTE	Dollars (\$000)	
<b>Crime Gun Intelligence</b>	This initiative will increase ATF's capability to perform NIBIN correlation reviews and training for law enforcement agencies nationwide at the NNCTC. The initiative will also supply NIBIN equipment and program support for five ATF field divisions.	12	6	\$5,336	50
<b>Forensic Services</b>	This initiative requests funding for staffing and the necessary equipment for a dedicated unit to conduct forensic DNA analysis on FCCs recovered from violent gun crimes.	29	14	\$4,318	55
<b>FFL Thefts: Outreach and Compliance</b>	This initiative supports prioritization and investigation of FFL burglaries and robberies as every firearm stolen from an FFL poses a threat to public safety. These resources will provide dedicated capabilities for the ATF's field divisions to investigate all FFL robberies and burglaries.	84	43	\$12,736	60
<b>TFO Body Worn Camera</b>	Funding will support State and local TFOs by providing data and video storage software and capacity for BWC video while the TFOs are serving on a Federal task force directed by the ATF.	0	0	\$1,000	65

### **III. Appropriations Language and Analysis of Appropriations Language**

#### **Salaries and Expenses**

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local enforcement agencies, with or without reimbursement, [\$1,483,887,000] *\$1,554,461,000*, of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 942(d)(2) of title 18, United States Code, and not to exceed \$25,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities for the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.



#### IV. Decision Unit Justification

##### A. Law Enforcement Operations

<b>LAW ENFORCEMENT OPERATIONS</b>	<b>Permanent Positions</b>	<b>FTE</b>	<b>Amount (\$000)</b>
2020 Enacted	4,091	3,802	1,073,660
2021 Enacted	4,091	3,828	1,134,580
Adjustments to Base and Technical Adjustments	0	0	36,077
2022 Current Services	4,091	3,828	1,170,657
2022 Program Increases	96	49	19,072
2022 Program Decreases	0	0	0
2022 Request	4,187	3,877	1,189,729
<b>Total Change 2021-2022</b>	96	49	19,072

##### Program Description – Investigating and Preventing Violent Crime

Protecting Americans against violent crime is a top DOJ priority. The ATF's mission is to reduce violent crime involving firearms, explosives, and arson. To accomplish this unique and important mission, the ATF's programs and initiatives focus on the investigation and prevention of violent crime. According to the FBI's 2019 Preliminary Semiannual Uniform Crime Report data<sup>2</sup>, for 550 reporting cities with a population of over 100,000 there were 164,670 aggravated assaults, 3,501 murders, and 70,773 robberies from January to June in 2019. Additionally, Americans are faced with increasing incidents of indiscriminate active shooter/mass shootings in our schools, shopping malls, churches, and other public places. In FY 2019, 28 active shooter incidents<sup>3</sup> (defined as one or more individuals actively engaged in killing or attempting to kill people in populated areas) killed 97 people and injured an additional 150 victims.

Through its Frontline business model, the ATF develops comprehensive domain assessments for each Field Division; these assessments allow the ATF to prioritize enforcement efforts on a local, regional, and national level. Each field's Special Agent in Charge (SAC) plans his/her field divisions investigative and industry operations activities based on a violent crime assessment, also known as a domain assessment. These assessments use data and intelligence to identify violent crime threats within a division's area of responsibility. This information includes emerging criminal trends, significant criminal activity, issues faced by local industry members, and the proximity and priorities of Federal, State, local, and other external partners. It also assesses available ATF resources, such as unique data and intelligence developed from the ATF's case management system, ATF's National Tracing Center, NIBIN, the Bomb and Arson

<sup>2</sup> <https://ucr.fbi.gov/crime-in-the-u.s/2019/preliminary-report/tables/table-4/table-4.xls/view>

<sup>3</sup> <https://www.fbi.gov/file-repository/active-shooter-incidents-in-the-us-2019-042820.pdf/view>

Tracking System (BATS), and other intelligence and crime-related data available through Federal, State, and local partners.

The ATF analyzes this information to identify actionable intelligence and locations where the ATF can effectively apply jurisdiction, authorities, and expertise to have a decisive impact in different areas of responsibility. This methodology is also applied to the ATF industry operations activities. The annual planned inspection schedule is based on National priorities derived from statutory requirements, and field division-level priorities identified in the assessments. As such, these efforts are intelligence-driven and risk-based to apply resources to have the greatest impact in reducing crime and safeguarding the public.

**Investigative/Inspection Accountability.** The ATF establishes and reinforces accountability at all levels by giving a SAC the necessary tools to prioritize and address the specific violent crime threats in their areas. SAs, IOIs, and supervisors conduct continuous reviews throughout the life of investigations and inspections to evaluate anticipated outcomes and impacts when weighed against risk and resource utilization.

**Measurement.** The ATF Performance Review process evaluates actual performance against the Bureau's performance goals as outlined in ATF's Strategic Management Performance Index. Throughout the course of investigations and inspections, first level supervisors monitor progress and performance to ensure effective and efficient resource allocation. Additionally, staff at all levels engage in periodic Performance Review sessions with their peer supervisors, Assistant Special Agents in Charge (ASACs) and SACs, who then collaborate to evaluate field-wide performance and provide feedback to the field. At the end of the fiscal year, the SAC also meets with their respective Deputy Assistant Director and the Assistant Director of Field Operations to review year-end performance. Through these meetings, both parties identify accomplishments, deficiencies, and resource needs for the next year.

### **Core Activities**

The core activities in Law Enforcement Operations that constitute the ATF mission include, but are not limited to, investigations and inspections that address:

1. Deter Illegal Firearms Trafficking and Violent Gun Crime
2. Firearms Criminal Possession and Use
3. Firearms Industry Operations
4. Combat Criminal Organizations
5. Deter Misuse of Explosives, Bombs and Bombings
6. Explosives Industry Operations
7. Research Fire and Investigative Arson

In FY 2020, these core law enforcement operations activities resulted in the following significant accomplishments:

- 10,740 cases and 13,810 defendants referred for prosecution
- 7,470 convictions
- 6,340 firearms compliance inspections
- 29 gun show outreach inspections
- 2,745 explosives compliance inspections
- 15,198 outreach phone calls

## **1. Deter Illegal Firearms Trafficking and Violent Gun Crime**

ATF's illegal firearms trafficking enforcement efforts seek to reduce violent crime by stemming the flow of firearms to violent criminals. Illegally trafficked firearms are considered "tools of the trade" which drug traffickers, gang members and other violent criminals use to commit their crimes. They also negatively affect interstate and international commerce. The ATF identifies, investigates, and arrests individuals and members of organizations who illegally supply firearms to violent and/or prohibited individuals. Furthermore, the ATF deters the diversion of firearms from lawful commerce into the illegal market with enforcement strategies.

Internationally, the ATF works with other agencies to prevent firearms from reaching the hands of drug traffickers, organized crime members, and terrorist organizations. The ATF enforces provisions of the Arms Export Control Act (AECA), has primary jurisdiction over firearms and ammunition imports, and has shared jurisdiction over firearms exports with the Department of Homeland Security (DHS) and the Department of State's (DOS) Office of Munitions Control.

The ATF's firearms trafficking strategy complements the continued focus on intelligence and the deployment of resources to specific localities where there is a high rate of gun violence. The comprehensive approach tracks the movement of firearms from legal to illegal commerce, from the source areas where firearms are acquired and transported to black markets, or to market areas where firearms are illegally sold. Often, these illegally trafficked firearms find their way to "trigger-pullers." The ATF's SAs and IOIs work together with Federal prosecutors in a source area to reduce the flow of diverted firearms into criminal market areas, thus impacting violent crime and gang violence, often thousands of miles away from the respective source market area.

As Internet commerce flourishes, firearms-related commerce grows with it. While many of these firearms-related transactions are lawful, the Internet also provides a forum for individuals' intent on evading the law – as either a buyer or a seller – to conduct unlawful transfers with a degree of anonymity.

To combat illegal firearms trafficking facilitated by the Internet, the ATF established an Internet Investigations Center (IIC) serviced by legal counsel and staffed with SAs, industry operations specialists, and IRSs. Using cutting-edge technology, this team identifies illegal firearms trafficking occurring online, and provides actionable intelligence to the relevant ATF field

division for follow-up investigation. When an investigation is national in scope or affects multiple ATF field divisions, the IIC coordinates intelligence and operations to ensure any resulting criminal investigation and prosecution has the widest impact. As part of this coordination process, the ATF works closely with the Department's Criminal Division to determine the best venue for prosecution.

Using this same approach, ATF personnel are constantly scanning for Internet-based threats of violence, particularly those involving “soft” targets like schools and houses of worship. With great sense of urgency, IIC personnel make all attempts to identify the person making the threat, locate the individual as best possible, and immediately refer to law enforcement where the individual is located. The ATF has no Federal jurisdiction related to these threats; the local field office works jointly and closely with appropriate law enforcement agencies.

The IIC also provides comprehensive investigative and intelligence support to ATF field divisions on matters relating to Internet-based criminal activity related to the ATF's areas of jurisdiction. Support includes technical online investigative tasks and legal support for Internet-related warrants and subpoenas. The IIC also serves as the single de-confliction point for online investigations both within the ATF and between other agencies.

The IIC subject matter experts also provide training on law enforcement methods and techniques for Internet investigations. These include social media tools. IIC members instructed on these matters at the ATF's National Academy, different field divisions, at the Department's National Advocacy Center (NAC), as well as at training hosted by Europol for member nations.

The IIC has identified a number of significant firearms traffickers who used the Internet to facilitate their crimes. On-going firearms trafficking investigations involve individuals and organizations using the Surface Web as well as the anonymous Dark Net. The ATF also investigated international firearms trafficking rings where U.S. sourced firearms were destined for delivery to criminal organizations or prohibited persons outside of the United States and vice versa. Other investigations involved prohibited persons soliciting innocent people selling their firearms on the Internet.

## **2. Firearms Criminal Possession and Use**

The law enforcement community has long recognized the clear link between the availability of criminally possessed firearms and violent crime. Firearm violence associated with drug trafficking and violent crime threatens citizens' safety and livelihoods while eroding the quality of life in American cities. The ATF employs a threat matrix to identify patterns of firearm violence, and deploys its resources to efficiently disrupt and prevent gun violence.

In January 2020, the ATF began Operation Relentless Pursuit, an initiative aimed at combating violent crime in seven of America's most violent cities, through a surge in Federal resources. The ATF focused on reducing crime gun violence through its increased resources in Albuquerque, Baltimore, Cleveland, Detroit, Kansas City, Memphis, and Milwaukee. Through Relentless Pursuit, the ATF held accountable the “trigger-pullers”, firearms traffickers, violent criminals, and those who supply them the guns to terrorize our communities.

In July 2020, the ATF began Operation LeGend, a sustained, systematic and coordinated law enforcement initiative across all Federal law enforcement agencies working in conjunction with state and local law enforcement officials. Operation LeGend was initiated to fight the sudden surge of violent crime in Kansas City, Missouri. Operation LeGend is named after four-year-old LeGend Taliferro, who was shot and killed while he slept early in the morning of June 29, 2020, in Kansas City. The ATF surged resources to Kansas City to help state and local officials fight the surge of violent crime. Operation LeGend was later expanded to multiple cities across the United States, including, Albuquerque, Chicago, Cleveland, Detroit, Memphis, Milwaukee, and St. Louis. The ATF utilized every available tool, including NIBIN and firearms tracing to identify, investigate and support the prosecution of the most violent firearm offenders.

### **3. Firearms Industry Operations**

Besides the threat to public safety, illegal firearms negatively impact the firearms industry by stunting their legal sales as well as revenue introduced to the U.S. economy.

The ATF regulates the firearms industry from the point of manufacture and/or importation through retail sale to ensure FFL compliance with all applicable laws and regulations. The ATF implements appropriate accountability to safeguard industry inventories from theft through proactive inspection. In addition, the ATF regularly conducts training for FFLs with the intent to educate and encourage voluntary controls and foster cooperation with law enforcement officials.

As part of its regulatory role, the ATF determines which FFL applicants are eligible to engage in a firearms business. Upon determination, the ATF educates licensees on their legal responsibilities. Approved FFLs must maintain acquisition and disposition records of their inventory of firearms. The ATF has the authority to request information from these records to assist with criminal investigations.

Proper and timely recordkeeping by FFLs is critical for successful crime gun tracing and is required for all firearms transactions by licensees. Failing to account for firearms in inventory is a serious public safety concern since unaccounted firearms cannot be fully traced to the retail purchaser. The ATF's FFL inspection program uses information related to recovered firearms to detect indicators of illegal firearms trafficking. ATF processes provides leads to investigators for inspection of specific dealers who may be violating Federal laws intended to protect the American public.

Through this regulatory framework, the ATF tracks each firearm recovered in a crime from its point of manufacture or importation through the chain of distribution to the point of first retail sale, a process known as "tracing." By tracing all crime gun recoveries submitted to the ATF, Investigators are able to discern patterns of firearms purchases, locations of purchase, and weapon types. These patterns provide invaluable leads in identifying persons who divert firearms into illegal commerce. By targeting these persons, the ATF stems the flow of illegal guns for convicted felons, drug traffickers, or gang members who commit violent crimes. Moreover, after connecting a firearm to an illegal gun trafficker, the ATF makes every effort to interdict and prosecute these individuals to prevent gun violence.

In FY 2020, the ATF completed approximately 6,340 FFL compliance inspections. As of FY 2020, there were 129,792 active FFLs in the U.S., and 13,065 FFLs have one year or less in business. Over the past five years, the ATF has assisted an average of 10,522 still active new business entities per year in their initial entry into the regulated firearms industry. That translates to 50 new businesses per workday. The ATF's efforts establish lawful firearms businesses. It is expected that the industry will continue to grow based on high market demand.

Additionally, the ATF regulates the importation of firearms into the U.S., registers importers of firearms, ammunition, firearms parts, and other defense articles pursuant to the import provisions of the AECA. The ATF also provides technical advice to the public regarding import requirements applicable to firearms or ammunition.

#### **4. Combat Criminal Organizations**

Criminal organizations threaten all communities across the U.S. Gangs remain key distributors of narcotics and are sophisticated and flagrant in their use of firearms for violence and intimidation. According to the 2015 National Gang Report (NGR), gang membership and gang-related crime continues to rise. The 2015 NGR highlighted current and emergent trends of violent criminal gangs in the U.S., and illustrated that gangs continue to commit violent and surreptitious crimes – both on the street and in prison – that pose a significant threat to public safety in most jurisdictions across the nation.

The ATF focuses its extensive and distinct investigative resources on areas experiencing the most violent crime. The ATF's Strategy targets the most serious offenses, prosecuting the most dangerous criminals, directing assistance to crime 'hot spots,' and pursuing new ways to promote public safety, deterrence, efficiency, and fairness. The ATF developed strategies to address violent crime spikes and to execute operations intended to weaken and dismantle armed violent criminal organizations.

Each of the ATF's 25 field divisions works collaboratively with their Federal, State, and local partners, as well as the U.S. Attorney's Office. Partnership plays a vital role in combating violent gun crime. It allows law enforcement agencies to operate together with unity of effort to stem the flow of crime guns, investigate, and prosecute the offenders affiliated with criminal organizations and gangs who use them to commit violent crimes. Through partnerships, law enforcement leaders coordinate missions, strategies, tactics, and intelligence to effectively prioritize and maximize impact on violent crime.

ATF CGSFs partner with Federal, State, and local law enforcement agencies to collect crime gun intelligence in cities identified by their high rates of violent gun crime. Crime gun tracing, along with NIBIN results and local agency police reports, are funneled to ATF CGICs to analyze and produce actionable intelligence. Once received, agents and officers form enforcement strategies to target, arrest, and prosecute the "trigger-pullers" and the illegal firearms traffickers who provide them with firearms

## **5. Deter Misuse of Explosives, Bombs and Bombings**

Criminal bombings and the illegal use of explosives are violent acts that threaten our neighborhoods and communities, as well as our national security at home and abroad.

The ATF strives to reduce violent crime involving the misuse of explosives; to assist state or local officers; to advance public safety and security; to deny the acquisition of explosive materials by statutorily prohibited persons; to remove hazards to the public caused by improper storage or use of explosive materials; and, to provide assistance to agencies in combatting terrorism and violent crime.

The ATF has aligned its mission, resources, and expertise with the National Strategy to Counter Improvised Explosives Devices (IEDs). The ATF manages the USBDC, which in turn is responsible for maintaining, and enhancing the outward facing Bomb Arson Tracking System (BATS), the statutorily mandated and Attorney General designated National arson and explosives incident repository and case management system. Currently the USBDC has in excess of 2,500 interagency partners and 12,000 users of BATS who contribute arson and explosives intelligence and information for critical regional and national situational awareness.

The ATF is tasked with the responsibility and authority to inspect the storage of explosives by Federal explosives licensees and to track thefts, losses, and recoveries of explosives. The ATF's mission extends to ensuring only qualified and legitimate applicants enter the explosives industry and that licensees keep proper records and use sound business practices to help prevent theft, explosives incidents, or the diversion of explosives to criminal or terrorist purposes.

The ATF's criminal enforcement mission, combined with the ATF's regulatory responsibility, gives ATF a comprehensive perspective on activity involving explosives in this country. This perspective allows the ATF to impact public safety through the identification and correction of explosives storage violations that, unchecked, could pose significant risk to the public.

## **6. Explosives Industry Operations**

Explosives materials diverted from legal commerce into the hands of criminal organizations and gangs or terrorist organizations constitute a tangible threat to public safety and legal commerce. The ATF's criminal and regulatory programs enforce Federal explosives law and prevent criminals and terrorists from obtaining explosives for use in bombings.

On a three-year cycle, as required by the Safe Explosives Act, the ATF's IOIs conduct compliance inspections of approximately 9,400 explosives licensees and permittees nationwide to detect, investigate and prevent diversion, and promote the safe and secure storage of explosives. The Federal Explosives Licensing Center screens license and permit applicants, in conjunction with the FBI, to ensure applicant eligibility to lawfully receive and use explosives. It further screens employees of such licensees and permittees to ensure prohibited persons do not have access to explosives.

## **7. Research Fire and Investigate Arson**

Loss of lives and property due to arson remains a significant threat to our communities, businesses, and the American people. Under Title 18 of the United States Code, the ATF is designated as the Federal agency primarily responsible for enforcing criminal provisions of the Federal laws related to fire investigations, conducting research to help investigators reconstruct fire and explosives incidents, and conducting financial investigations to identify illegal arson-for-profit schemes.

ATF SAs investigate potential acts of arson motivated by profit, ideology or other criminal intent. Some of the more recent significant events the ATF has been called upon for its expertise include investigating fires that occurred during the civil unrest in the cities of Minneapolis, St. Paul, Chicago and Kenosha. ATF was also instrumental in investigating the fire that occurred on the USS Bonhomme Richard and the Conception dive boat fire that killed over thirty people. The ATF also trains Federal, State, local, and international law enforcement agencies on how to investigate and solve such crimes.

The ATF has primary Federal jurisdiction over the investigation of arson crimes, and is uniquely equipped for this mission with specialized capabilities, expertise, and experience. The vast majority of fires are investigated at the local level. The ATF responds to fires of Federal interest and to provide its specialized skills when needed by state and local authorities. In many cases, the unique knowledge, technical resources, forensic capabilities, and jurisdictional authority of the Federal Government are essential in solving arson related crimes and removing arsonists from a community. The ATF's combination of CFIs, accelerant detection canines, NRT, forensic laboratories, forensic auditors, fire prevention, electrical, and mechanical engineers, and the Fire Research Laboratory (FRL) provide comprehensive technical expertise for investigating arson crimes that is unmatched in the U.S. Additionally, the USBDC and BATS provide critical intelligence and information to the ATF and the interagency community related to occurrence of arson incidents both regionally and nationally.



## B. Investigative Support Services

<b>INVESTIGATIVE SUPPORT SERVICES</b>	<b>Perm. Pos.</b>	<b>FTE</b>	<b>Amount (\$000)</b>
2020 Enacted	1,194	1,155	326,340
2021 Enacted	1,194	1,179	349,307
Adjustments to Base and Technical Adjustments	0	0	11,107
2022 Current Services	1,194	1,179	360,414
2022 Program Increases	29	14	4,318
2022 Program Decreases	0	0	0
2022 Request	1,223	1,193	364,732
<b>Total Change 2021-2022</b>	<b>29</b>	<b>14</b>	<b>4,318</b>

### **Program Description – Delivery of ATF’s Forensic Expertise, Assets, and Intelligence Services to Improve Public Safety**

The ATF continues to leverage, build, and rely on its partnerships with all law enforcement entities – Federal, State, local, tribal, and international law enforcement, public safety agencies, communities, and industries to prevent terrorism and abate violent crime. The ATF partners with these entities to safeguard the public through information and intelligence sharing, training, research, the use of technology, and by its lead role in the coordination of ESF #13.

Resources and activities that support the ATF’s law enforcement operations comprise the Investigative Support Services (ISS) decision unit. Core activities include, but are not limited to:

1. Firearms and Explosives Licensing and Other Firearms Industry Services
2. Firearms Tracing
3. NIBIN
4. NCETR
5. USBDC
6. TEDAC
7. ATF Laboratories
8. Financial Investigations
9. Collaboration and Partnerships
10. ESF #13
11. Internet Investigations Center

NIBIN facilitates the sharing of CGI evidence across Federal, State, local, tribal and international law enforcement agencies. The NTC is responsible for tracing firearms recovered in crimes. As part of its public safety mission, the ATF issues licenses to individuals and businesses through the Federal Firearms Licensing Center, and the Federal Explosives Licensing Center supporting legal commerce of these regulated commodities. Information sharing activities include working with the TEDAC, the USBDC, and NCETR. The ATF is devoted to increasing U.S. capabilities at the Federal, State, and local level in detecting, deterring, and responding to arson and explosives incidents including criminal and terrorist bombings and explosives recovery incidents, which have a major impact on public safety.

## **1. Firearms and Explosives Licensing and Other Industry Services**

The ATF issues licenses to legitimate firearms and explosives manufacturers, importers, and dealers. Under current regulations, the ATF is required to act upon firearms license applications within 60 days and explosives license application within 90 days of perfecting the application. During FY 2019, the ATF conducted 9,424 firearms application inspections and 815 explosives application inspections.

In addition, the NFA legislatively mandates registration and tax payment for making or transferring machine guns, silencers, short-barreled rifles, short-barreled shotguns, destructive devices, and certain concealable weapons classified as “any other weapons.” The NFA mandates that individuals, firearms manufacturers, and importers register the NFA firearms that they make, manufacture, or import, and that all NFA firearms transfers are approved by the ATF in advance.

Market demand for NFA services continues to set annual records, which has resulted in an increased workload over the past several years. In FY 2019, the ATF received over 370,347 NFA registration applications and processed 342,860 NFA registration and transfer applications. Much of the increase from prior fiscal years can be attributed to changes in several state laws that allow for the use of gun silencers for hunting purposes. The increase in overall firearms commerce continues to significantly increase the ATF’s workload and impact the ATF’s ability to meet internal and external performance targets.

The ATF regulates the importation of firearms, ammunition, and other defense articles by issuing import permits. The ATF also regulates the importation and possession of firearms and ammunition by non-immigrant aliens. The ATF maintains close liaison with the Department of State, Department of Defense, and U.S. Customs and Border Protection to ensure that the permits issued do not conflict with the foreign policy and national security interests of the U.S. During FY 2019, the ATF processed 11,374 import permit applications. The Attorney General has delegated to the ATF the authority to administer the permanent importation provisions of the AECA. Under the AECA, the ATF regulates the permanent importation of firearms, ammunition, and other defense articles into the U.S. The ATF processes applications to import items from domestic businesses, members of the U.S. military returning from abroad with personal firearms, non-immigrant aliens temporarily hunting or attending legal sporting activities in the U.S., and U.S. citizens re-establishing residency after living abroad. Through industry outreach and regulation, the ATF provides technical advice to the public regarding import requirements applicable to firearms, ammunition, and implements of war.

## **2. Firearms Tracing**

The ATF's NTC traces firearms used or suspected to have been used in crimes for law enforcement in order to provide investigative leads. The NTC traces firearms annually for more than 7,000 Federal, State, and local law enforcement agencies. Firearms tracing is the sole function of the ATF and is critical to law enforcement in their efforts to link suspects to firearms in criminal investigations and to detect illegal firearms traffickers. In FY 2020, the NTC processed 490,844 firearms trace requests. The demand for timely and accurate trace data will continue in order to more quickly identify and apprehend the most violent firearms offenders. The NTC also operates a series of programs that relate to and support firearms tracing to include the eTrace Program, Multiple Sales for Handguns Program, FFL Theft Program, Interstate Theft Program, Out-of-Business Records Program, and Demand Letter Program.

The trace information allows the ATF to:

- Provide the requesting Federal, State, local, and tribal law enforcement agencies leads designed to help link suspects to firearms in criminal investigations.
- Identify illegal firearms traffickers through recurring patterns and trends indicative of illegal firearms trafficking.
- Analyze aggregate trace data, to help communities develop focused strategies and programs that address specific factors that contribute to gun-related crime.

Trace information and analysis is vital to solving violent crime and identifying illegal firearms trafficking trends.

## **3. NIBIN**

The mission of the ATF's NIBIN Program is to reduce firearms violence through aggressive evidence-based targeting, investigation, and prosecution of shooters and their sources of crime guns. NIBIN continues to aid ATF and its law enforcement partners in identifying "trigger-pullers" and removing violent offenders from America's streets before they can re-offend. The ATF administers NIBIN for Federal, State, local, and tribal law enforcement agencies to solve crimes by establishing investigative leads through links between crime guns and criminals. NIBIN is the only interstate automated ballistic imaging network in operation in the U.S. and is available to every major population center in the U.S. to support local violent crime reduction strategies.

The NIBIN system is a collection of digital ballistic images of ammunition components recovered from crime scenes and recovered crime gun test fires. As with fingerprints, every firearm has unique identifying characteristics. The barrel of a weapon leaves distinct markings on a bullet or projectile, and the breech and firing pin mechanisms leave distinct markings on the cartridge case. Using these markings, firearm technicians and examiners are able to examine bullets and cartridge casings to determine if they were expelled from the same firearm.

Through the NIBIN Program, the ATF strategically deploys Integrated Ballistic Identification System (IBIS) equipment to Federal, State and local law enforcement agencies for their use in

imaging and comparing these unique markings on crime gun evidence. The ATF has worked to place the program in strategic locations across the country with the goal of giving investigators an edge in our fight against firearms-related violence. As of February 2021, 243 NIBIN sites operate nationwide, and the ATF will provide additional sites with this technology and ability to share ballistic information for the remainder of 2021 and continuing into 2022.

The ATF's NIBIN Program uses an integrated investigative approach which works in concert with other Federal, State, local, and tribal law enforcement agencies in combating firearms-related violence using technology to compare images of ballistic evidence obtained from crimes scenes and recovered firearms. NIBIN is a proven investigative and intelligence tool that can identify leads that were not previously available; can link firearms evidence from multiple crime scenes that were committed with the same firearm; and, can link firearms evidence from a crime scene to a recovered firearm.

The ATF's NIBIN network may be searched locally, regionally, nationally, and internationally in an automated environment to identify investigative leads. Law enforcement resources realize the true potential of NIBIN by following up on the investigative leads to solve crimes associated with these shooting incidents. In FY 2020, NIBIN partners confirmed more than 6,775 hits and issued 104,206 investigative leads using this technology.

NIBIN partner sites began issuing leads in FY 2014 as the program changed its paradigm from a forensic tool to an investigative tool. NIBIN "leads" are potential ballistic links that either have been made by a firearms examiner or trained technician upon comparison of the ballistic images. NIBIN "hits" on the other hand, are ballistic links that have been confirmed by a firearms examiner under a comparison microscope. NIBIN hits require additional time and the ability to compare two physical pieces of ballistic evidence. With the emphasis on NIBIN as an investigative tool, sites have shifted focus and efforts to providing timely NIBIN leads to investigators in lieu of the microscopic comparison. In FY 2014, NIBIN sites issued more than 800 leads, and has grown to more than 104,000 leads provided to investigators in FY 2020. The establishment of the ATF's NNCTC was a significant factor in this increase in investigative leads. This has been an impactful move forward for the program because these leads represent new investigative avenues for law enforcement to focus their efforts to take active shooters off the streets before they re-offend. Leads are issued more quickly than a confirmed hit, which means the information is fresh for investigators to pursue these armed criminals.

The ATF has conducted an evaluation of this program and as a result dedicated infrastructure resources to ensure effective program oversight. As part of this evaluation, the ATF has changed how this program is supported to increase the number of shooters recommended for prosecution. Past funding has supported the replacement of outdated equipment and software upgrades to imaging that enables firearms technicians and examiners to more easily discern distinct markings on the cartridge casings and link evidence for separate cases. Recent funding provided for software upgrades to the NIBIN network that has increased the efficiency of reviews by NIBIN users.

The ATF will continue to emphasize the program's focus on providing useful ballistic information in a timely manner for investigative action thus resulting in more referrals for

prosecutions and impact on violent crime. The ATF is utilizing NIBIN along with other investigative tools and assets as part of an overall crime gun intelligence solution to effectively identify and target criminal shooters and their source of crime guns that are plaguing our communities.

As part of this effort, the ATF established the NNCTC, a centralized facility capable of performing correlation reviews of ballistic images submitted by NIBIN sites anywhere in the United States. Correlation reviews are a critical function of the NIBIN process and are the means by which ballistic leads are determined for investigative use. The NNCTC accomplishes this on behalf of a NIBIN site to relieve that local facility of the labor and machinery costs associated with NIBIN. Moreover, the expertise and capability of the NNCTC's Correlation Review Specialists (CRS) and Firearms and Tool Mark Examiners allows lead generation turnaround time to be decreased to 24-48 hours where it might otherwise be more than a month left to the local site.

This consistent and timely turnaround of NIBIN leads provides investigators relevant and valuable information to identify and apprehend violent offenders more quickly. The NNCTC is currently reviewing correlations for 83 NIBIN sites. Since the NNCTC opened in April 2016, it has provided over 122,000 investigative leads to law enforcement and has performed over 455,000 correlation reviews.

In addition to providing correlation review services, the NNCTC provides NIBIN training to the ATF's law enforcement partners. As of February 2021, the Training Center has provided training in NIBIN acquisition, correlation review, cartridge case triage, and NIBIN Authorized Trainer to over 1,200 individuals.

#### **4. NCETR**

Preventing the criminal use of explosives is one of the core missions of the ATF, and NCETR serves as the Bureau's primary source for explosives research, training, and intelligence. The ATF is the primary agency responsible for administering and enforcing the regulatory and criminal provisions of the Federal laws pertaining to destructive devices, explosives, and bombs. The ATF has extensive expertise in the investigation and forensic analysis of explosives incidents arising from criminal use of explosives or terrorists acts.

The ATF utilizes NCETR as the focal point of its role in the government-wide effort to safeguard the public from acts of violence utilizing explosives. NCETR provides basic and advanced explosives training and research that leverages lessons learned and best practices to safeguard the public and reduce deaths and injuries from explosives crimes and accidents, and aligns this support with the national counter-IED effort. At NCETR, ATF provides specialized training, techniques, and uses advanced technology and procedures to support forensic investigations and explosives enforcement.

Additionally, ATF contributes greatly to the global Counter-IED (C-IED) efforts through a focus on the interoperability between public safety bomb technicians and explosives specialists with their military Explosives Ordnance Disposal (EOD) colleagues. This is accomplished through a

well-established training program focusing on the identification, processing, and disposal of Homemade Explosives (HME), in partnership with the Department of the Army. EOD personnel from all branches of our armed forces attend the NCETR HME course prior to mobilization.

In partnership with the Department of the Army, the NCETR also leads and coordinates the annual “Raven’s Challenge,” an interoperability exercise for public safety bomb squads and military EOD personnel at four locations across the country that involves realistic IED incident scenarios and live fire training.

NCETR also has oversight of the ATF’s National Canine Division (NCD) located in Front Royal, Virginia. ATF’s canine program is the only canine program in the U.S. supported by a laboratory and the first federally-accredited explosive detection canine program. The ATF National Forensic Science Laboratories support the ATF NCD in the research and development of explosive and accelerant compounds and compositions for canine training, third party testing, instruction into the properties and chemical breakdown of accelerant and explosives, and support in all forensic related issues. The ATF NCD conducts evaluation and analysis of new and emerging facets within the explosives and accelerant detection canine arena, and shares this vital information with our partners in a concerted effort to provide the best tools possible for safety and security in the fight against violent crime and terrorism. The ATF remains at the forefront of combating violent crime through such innovative programs as training explosives detection canines in the recognition of peroxide explosives and the standardized National Odor Recognition Testing.

The Explosives Research and Development Division (ERDD) at NCETR is an investment in scientific knowledge generation and technology development that allows the ATF to adapt and respond to changes to the ongoing threat posed by the criminal misuse of explosives. Meeting the challenges and embracing the opportunities of a dynamic future are not only indicative of high-quality research and development, but are responsive to the needs of the Nation’s C-IED efforts. Current research partners include the National Counterterrorism Center, the Army Corps of Engineers, and the University of Alabama-Huntsville. In short, NCETR ERDD provides value by improving the safe storage and disposal of explosives, and enhancing the prosecution of explosives cases to serve the ATF and the larger law enforcement community.

The integration of the ATF’s Fire Investigation and Arson Enforcement Division (FIAED) is the most recent addition to NCETR. FIAED oversees the National Response Team Program, Certified Fire Investigator Program, Fire and Arson Investigation Training Programs, and the Arson and Explosives Criminal Investigative Analysis (Profiler) Program. These programs further support the ATF’s efforts to identify, target, and dismantle criminal enterprises and other offenders that use fire or explosives in furtherance of violent criminal activity and investigate violators who use fire or explosives to damage or destroy property that affects interstate or foreign commerce.

ATF’s National Response Team is the only group of crime scene investigators in the world accredited by ISO and ANSI Standard 17020, allowing the NRT to render an opinion as to the origin and cause of fire or explosion. NCETR is in the process of also accrediting both its CES and CFI programs to both ISO and ANSI standards.

## 5. USBDC

In 1996, Congress passed Public Law 104-208, the 1997 Omnibus Consolidated Appropriations Act, directing the Secretary of the Treasury to establish a national repository of information regarding arson incidents and the actual and suspected criminal misuse of explosives throughout the United States. The Secretary of the Treasury, recognizing the ATF's expertise in the investigation of arson and explosives related incidents, tasked the ATF with carrying out this congressional mandate.

The Homeland Security Act of 2002 transferred the law enforcement duties and responsibilities of the ATF from the Department of the Treasury to the DOJ. In 2004, the Attorney General, acting under the statutory authority of Title 18, U.S.C., Section 846 (b), designated the ATF's Bomb Arson Tracking System (BATS) as the consolidated national repository for information related to arson and the suspected criminal misuse of explosives. The USBDC was then established and given the responsibility for management of BATS.

BATS is a web-based case management system that allows investigators across the country to capture details of bomb and arson cases, including the area of origin or device placement, casualties, financial loss, fire descriptors, collateral crimes, device components, and descriptions and photographs of how the device was constructed and delivered. BATS also allows investigators to build cases in the BATS application while maintaining critical operational security of their information. Images of arson and explosive scenes can be shared through the BATS secure web connection. Currently the USBDC has over 2,600 interagency partners and supports over 12,000 users of BATS.

The USBDC Arson & Explosive Intelligence Division collects, analyzes, and disseminates timely information and relevant tactical and strategic intelligence within the ATF, and to external Federal, State, local, tribal, military, and international partners. The USBDC provides statistical analysis of current trends and patterns to aid in the detection, deterrence and prevention and prosecutorial support related to arson and the criminal misuse of explosives. The USBDC is available to assist other Federal, State, and local law enforcement and fire service investigators with arson and explosives investigations. The USBDC is staffed with ATF SAs, IRSs, an IOI, and support personnel who are all experienced in arson and explosives related investigations.

The USBDC also provides explosives tracing services to duly authorized law enforcement agencies across the United States and in many foreign countries. Tracing is the systematic tracking of explosives from manufacturer to purchaser (and/or possessor) for the purpose of aiding law enforcement officials in identifying suspects involved in criminal violations, establishing stolen status, and proving ownership. The creation of the National Repository has achieved for these industries, as well as law enforcement, the most proficient and productive method for researching the movement of an explosive. Explosives manufacturers, importers, wholesalers, and retail dealers in the United States and foreign countries cooperate in the tracing endeavor by providing, on request, specific information from their records of manufacture, importation, or sale. Because of its licensing authority, the ATF is the only Federal agency authorized access to these records.

## **6. TEDAC**

Jointly, the ATF and the FBI coordinate and manage TEDAC. The mission of TEDAC is to contribute directly to the eradication of the IED threat, through a whole of government effort that includes international partners. TEDAC informs its partners who, in turn, attempt to disrupt those individuals and networks responsible for the design, development, purchase, assembly, and deployment of IEDs. This is accomplished through scientific and forensic exploitation of IEDs; developing actionable intelligence; forecasting IED threats; and maintaining a repository of IED material obtained from incidents around the world. The TEDAC combines law enforcement, military, and intelligence assets to classify the operation, bomb components, and deployment of IEDs. These efforts help prevent IED attacks, protect U.S. armed forces, and identify those who manufacture and deploy these devices.

TEDAC's forensic exploitation at the intersection of law enforcement, science and technology, border forces, intelligence, and the military, provides a key perspective from which to research the science and technology of IEDs. The TEDAC research and testing program supports IED detection, countermeasures, and post-blast analysis. The TEDAC continues to build depth and breadth within its device collection and develop technical, forensic, and intelligence methods to anticipate new devices and techniques envisioned by our adversaries and to better collaborate with its partners.

## **7. ATF Laboratories**

The ATF laboratory system comprises three traditional forensic science laboratories (FSLs) and a fire research laboratory (FRL) that provide direct support to ATF SAs and other Federal and State law enforcement agencies in the investigation of violent crimes and other potential threats to public safety. ATF scientists and engineers play an integral role supporting violent crime investigations, often times providing the critical links between the crimes and the suspects, or providing a lead to a previously unknown suspect.

All ATF laboratories are accredited by the ANSI National Accreditation Board (ANAB) to the ISO 17025 (2017) standard. In addition, the Forensic Science Laboratory-Washington meets the requirements of the FBI Quality Assurance Standards for Forensic DNA Testing Laboratories. The ATF Laboratories support investigations through the scientific analysis of evidence; providing technical support at fire, explosion and shooting scenes; providing training to ATF SAs, prosecutors, and state and local law enforcement and forensic scientists in these areas; supporting the prosecution of violent criminals by providing expert testimony; and, conducting scientific research to enhance forensic capabilities. FSL and FRL experts support ATF's National and International Response Teams (NRT and IRT) and provide training and support to the ATF's explosives and accelerant detection canine programs, homemade explosives (HME) courses, the National Firearms Examiners Academy, fire debris analysis courses, as well as other specialized areas of instruction.

The FSLs maintain a unique expertise in areas supporting criminal investigations involving firearms, explosives and suspected arson. The laboratories' Forensic Chemists provide chemical and physical analyses of bombs, improvised device components, fire debris, and trace evidence.



The ATF laboratories have developed unsurpassed expertise in the specialized area of touch DNA analysis, in which low levels of DNA can be recovered from firearms, bombs, and other tools of violent criminals. The ATF's capabilities in the area of latent print examination and tool mark analysis focus on providing links between the evidence recovered from violent crimes and the perpetrators of the acts. The ATF laboratories are world leaders in the applications of forensic science to the types of evidence encountered in violent crimes investigated by the ATF.

The Fire Research Lab (FRL) is staffed with fire protection engineers, mechanical engineers, electrical engineers and technicians, and is the only laboratory of its kind in the world dedicated to the specific needs of the criminal fire investigation community. It provides the necessary facilities, equipment, and staff to support complex criminal fire investigation issues. Forensic examinations include fire scene reconstructions, flashover determination, validation of fire pattern indicators, impacts of accelerants on fire growth and spread, ignition studies and electrical fire cause analysis.

In FY 2020, ATF's laboratories accomplished the following:

- Received 1,734 requests for analysis and testing.
- Completed analysis on 941 forensic cases (FSL).
- Performed 113 laboratory case testing experiments (FRL).
- Performed 84 laboratory research testing experiments (FRL).
- Provided 25.5 days of expert testimony in the courts.
- Worked 175 days at crime scenes.
- Provided 235 days of training for Federal, State, and local investigators and examiners.

These figures are lower compared to prior FYs due to the COVID pandemic.

## **8. Financial Investigations**

The Financial Investigative Services Division (FISD) supports approximately 450 criminal financial investigations, an average of over 10 cases per employee, annually. The ATF's forensic auditors are experts in the field of forensic accounting and financial investigations. They conduct comprehensive and complex financial investigations for SAs in support of criminal investigations and document appropriate financial criminal charges to further the prosecution in these cases.

In addition to identifying financial charges, ATF forensic auditors assist in developing additional investigative leads and co-conspirators through the financial records and they quantify purchases, sales, losses and profits for criminal investigations. These cases include arson-for-profit, firearms and firearms associated narcotics trafficking cases, contraband cigarette trafficking, the use of explosives and bombings in the furtherance of financial frauds, counter-terrorism, threats to public safety, investigations into gang and other organized criminal enterprises, and complex investigations involving both domestic and international money laundering.

These complex investigations often involve criminal organizations, multiple subjects and their businesses, varied and numerous money laundering schemes, asset identification, and forfeiture. The ATF's forensic auditors also assist other directorates and offices within the Bureau on office reviews, special projects, PACT Act and regulatory inspections and other requests for assistance.

## **9. Collaboration and Partnerships**

The ATF is engaged in many cooperative agreements, collaborations, and partnerships with other Federal agencies, private industry, and in the international arena. For example, ATF is fully engaged with and provides support to government anti-terrorism efforts, especially the FBI-led Joint Terrorism Task Forces (JTTFs). The ATF participates in JTTFs, and assigns one ATF special agent to the National JTTF at the National Counter-Terrorism Center. In working with the JTTF, the ATF plays an important part in terrorism cases that involve firearms, bombs, illegal explosive possession.

The ATF furthers fulfillment of its mission by participating in other multi-agency efforts such as High Intensity Drug Trafficking Areas, High Intensity Financial Crime Areas, and the Organized Crime Drug Enforcement Task Force. Through these partnerships, ATF plays a major role in the prevention and investigation of violent firearms crimes involving criminal organizations and gangs, and provides direct investigative expertise to criminal explosives, arson incidents, and threats. These collaborative efforts also make the ATF a key component in combating organized crime that threatens U.S. national and economic security.

At the request of the Department of State, the ATF serves as an advocate for U.S. firearms in international fora such as the United Nations (UN) and the Organization of American States (OAS). The ATF ensures that international firearms agreements in which the U.S. participates are consistent with U.S. laws, regulations, policies, and practices. The UN Program of Action, the OAS Convention on Firearms, and the International Tracing Instrument are just a few of the agreements through which the ATF protects the policies of the U.S. in international settings.

ATF's International Affairs Division (IAD) is at the forefront in ATF's mission of combatting violent crime and other threats to public safety. IAD's primary mission is to protect the public against crimes of violence by conducting and coordinating investigations involving transnational criminal organizations. IAD's international offices are strategically positioned to extend ATF's reach beyond our borders and enable the ATF to combat violent crime before it reaches the United States. IAD serves to further ATF's mission and protect U.S. policies and interests by focusing personnel and resources primarily in the Western Hemisphere. The ATF has offices in Mexico, El Salvador, Canada, Bahamas, and Jamaica. Additionally, the ATF has representation at EUROPOL in the Netherlands.

Through partnerships with such agencies as the International Narcotics and Law Enforcement Affairs (INL), the International Criminal Investigative Training Assistance Program (ICITAP), and the Office of Overseas Prosecutorial Development (OPDAT), ATF's IAD is able to provide capacity building, specialized training, and facilitate information sharing with our foreign partners. ATF's IAD also partners with the DOJ International Law Enforcement Academy (ILEA) to provide expert and specialized training to participating countries throughout the world.

IAD's participation in the ILEA program allows the ATF to train foreign law enforcement in many uniquely ATF areas such as post-blast investigations, arson investigations and fire science, firearms and explosives identification techniques, and international firearms trafficking investigation techniques. This specialized training helps better facilitate information sharing and assists foreign law enforcement in developing sound investigative skills and programs.

## **10. Emergency Support Function #13**

Ensuring the safety and protection of the public is a critical service needed in the aftermath of any disaster. The ATF is the Department's lead agency for management of Emergency Support Function (ESF) #13, one of 15 emergency support functions established by the National Response Framework (NRF). The close relationships the ATF has developed and maintains across the law enforcement and first responder communities are crucial to provide fast, effective, and appropriate resources when needed an emergency or major disaster.

Through ESF #13, Federal law enforcement assets are directed to assist Federal, State, territorial, local, and tribal authorities with public safety and security-related missions ranging from serious but purely local incidents to large-scale terrorist attacks or catastrophic disasters. All ESF #13 responses are a collaborative effort among partner law enforcement agencies, but the ATF is ultimately responsible for maintaining a robust national capability to perform the functions outlined in the ESF #13 Annex to the NRF. The ATF is required to:

- Conduct ESF #13 law enforcement planning for the 50 states, District of Columbia, five territories, and federally-recognized tribes.
- Maintain liaison and build relationships with Federal, State, territorial, and local and tribal law enforcement agencies, FEMA, emergency operations centers, and other first responders in all 10 FEMA regions.
- Conduct national and regional interagency training.
- Assess shortfalls in state and local capabilities.
- Participate in annual national emergency exercises.
- Participate in planning activities and other regional meetings.
- Activate and respond, when necessary, to support the Federal Government response to emergencies, major disasters, or acts of terrorism.
- Provide personal protection equipment and officer safety equipment to all responding Federal law enforcement officers in support of ESF #13.
- Maintain a robust logistical capability to move personnel and equipment in support of the Federal Government response to emergencies, major disasters, or acts of terrorism.
- Maintain robust situational awareness to ensure all personnel are properly informed of ESF #13 status and the condition of public safety and security in the disaster area.

The ATF supports operational travel of ESF #13 headquarters and regional staff for mandated activities throughout the year. Since 2014, ESF #13 has participated in 38 national activations,

deployed over 6,000 personnel, and provided over \$125 million in mission assignment funding. ESF #13 has participated in 526 Federal and State exercises and 908 Federal and State trainings. In the 10 FEMA regions, ESF #13 has participated in 178 Regional Interagency Steering Committee meetings. ESF #13 personnel have been involved in 3,162 Federal planning and liaison meetings and 1,756 state planning liaison meetings.

## **11. Internet Investigations Center (IIC)**

The Internet Investigations Center (IIC) is staffed with Federal agents, legal counsel, and investigators. It conducts and coordinates multi-jurisdictional operations and provides investigative direction to disrupt and dismantle online criminal activity within the ATF's enforcement and regulatory jurisdiction. The IIC uses investigative and analytic techniques to identify domestic and international offenders and the associations among them.

The ATF established the IIC to track illegal online firearms trafficking and to provide actionable intelligence to agents in the field related to FFL burglaries, arson, firearms trafficking and violent crime. The IIC has already identified a number of significant traffickers operating over the Internet; its work has led to prosecutions against individuals and groups using the "Dark Web" to traffic guns to criminals or attempting to buy firearms illegally online. The IIC also investigates buyers and sellers who use the Internet to facilitate illegal firearms transactions, both the surface Web and the Dark Web. For example, to identify an anonymous user on the Dark Web, the IIC works to establish a user's "digital footprint" on the surface Web.

In 2016, the IIC also issued a report about Internet firearm transactions. This report and others highlighted various aspects of Internet-facilitated firearm transactions:

- The relative anonymity of the Internet makes it an ideal means for prohibited individuals to obtain illegal firearms.
- The more anonymity employed by a firearms purchaser, the greater the likelihood that the transaction violates Federal law.
- Firearm transactions that occur on the Dark Web are more likely to be completed in person, by mail, or by common carrier, rather than through a FFL.

Similarly, ATF personnel constantly scan for Internet-based threats of violence, particularly those involving "soft" targets like schools and houses of worship. With great sense of urgency, IIC personnel make all attempts to identify the person making the threat, locate the individual as best possible, and immediately refer to law enforcement where the individual is located. The ATF has no Federal jurisdiction related to these threats; the local field office works jointly and closely with appropriate law enforcement agencies.

The IIC also provides comprehensive investigative and intelligence support to ATF field divisions on matters relating to Internet-based criminal activity related to ATF's areas of jurisdiction. Support includes technical online investigative tasks and legal support for Internet-related warrants and subpoenas. The IIC also serves as the single deconfliction point for online investigations both internally within the ATF and externally with other agencies.

## C. Performance Tables<sup>1, 2, 3</sup>

PERFORMANCE AND RESOURCES TABLE										
<b>Decision Unit: Law Enforcement Operations</b>										
<b>DOJ Strategic Goal/Objective:</b>										
<b>DOJ Strategic Goal 1:</b> Enhance National Security and Counter the Threat of Terrorism.										
<b>Strategic Objective 1.1:</b> Disrupt and defeat terrorist operations.										
<b>DOJ Strategic Goal 3:</b> Reduce Violent Crime and Promote Public Safety.										
<b>Strategic Objective 3.1:</b> Combat violent crime, promote safe communities, and uphold the rights of victims of crime.										
PERFORMANCE AND RESOURCES TABLE										
<b>Decision Unit: Law Enforcement Operations/Investigative Support Services</b>										
WORKLOAD/RESOURCES		Target		Actual		Projected		Changes		Requested (Total)
		FY 2020		FY 2020		FY 2021		Adjustments and FY 2022 Program Change		FY 2022 Request
Total Costs and FTE		FTE	\$,000	FTE	\$,000	FTE	\$,000	FTE	\$,000	FTE, \$,000
Law Enforcement Operations Strategic Goal 1		1,252	343,571	1,179	331,987	1,187	351,720	15	17,096	1,202, 368,816
Law Enforcement Operations Strategic Goal 3		2,659	730,089	2,623	738,939	2,641	782,860	34	38,053	2,675, 820,913
<b>Total Costs</b>		<b>3,911</b>	<b>1,073,660</b>	<b>3,802</b>	<b>1,070,926</b>	<b>3,828</b>	<b>1,134,580</b>	<b>49</b>	<b>55,149</b>	<b>3,877, 1,189,729</b>
OUTCOME Measure	Impact the threat to public safety caused by illegal firearms trafficking.	102		103.2		102		0		102
OUTCOME Measure	Impact the threat to public safety caused by criminal possession and use of firearms.	101		94.1		101		-1		100
OUTCOME Measure	Impact the threat to public safety caused by criminal organizations.	98		99.8		98		2		100
OUTCOME Measure	Impact the threat to public safety caused by bombs and explosives.	99		84.6		99		1		100
OUTCOME Measure	Impact the threat to public safety caused by the criminal use of fire.	102		89.7		102		0		102
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.	91		63.7		91		12		103
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members.	102		101.6		102		0		102

<sup>1</sup> Note: Both of the decision units (Law Enforcement Operations and Investigate Support Services) work interdependently to demonstrate ATF's actual performance.

<sup>2</sup> Note: The sum of the program activity resources and FTE will not add up to the total for each decision unit, because it does not capture all program activities within the decision unit.

<sup>3</sup> Note: The outcome measures shown in the decision unit tables are scores from the ATF Performance Index, which is described in Section IV(C)(1) of this document (page 43).

PERFORMANCE AND RESOURCES TABLE										
<b>Decision Unit: Investigative Support Services</b>										
WORKLOAD/RESOURCES		Target		Actual		Projected		Changes		Requested (Total)
		FY 2020		FY 2020		FY 2021		Adjustments and FY 2022 Program Change		FY 2022 Request
Total Costs and FTE		FTE	\$,000	FTE	\$,000	FTE	\$,000	FTE	\$,000	FTE      \$,000
Investigative Support Svcs Strategic Goal 1		380	104,429	358	100,912	365	108,285	4	4,782	369      113,067
Investigative Support Svcs Strategic Goal 3		809	221,911	797	224,609	814	241,022	10	10,643	824      251,665
Total Costs		1,189	326,340	1,155	325,521	1,179	349,307	14	15,425	1,193      364,732
OUTCOME Measure	Impact the threat to public safety caused by illegal firearms trafficking.	102		103.2		102		0		102
OUTCOME Measure	Impact the threat to public safety caused by criminal possession and use of firearms.	101		94.1		101		-1		100
OUTCOME Measure	Impact the threat to public safety caused by criminal organizations.	98		99.8		98		2		100
OUTCOME Measure	Impact the threat to public safety caused by bombs and explosives.	99		84.6		99		1		100
OUTCOME Measure	Impact the threat to public safety caused by the criminal use of fire.	102		89.7		102		0		102
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.	91		63.7		91		12		103
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members.	102		101.6		102		0		102

PERFORMANCE AND RESOURCES TABLE								
Decision Unit: Law Enforcement Operations/Investigative Support Services								
Performance Report and Performance Plan Targets		2017	2018	2019	2020		2021	2022
		Actual	Actual	Actual	Target	Actual	Target	Target
OUTCOME Measure	Impact the threat to public safety caused by illegal firearms trafficking.	103.6	98.5	99.1	102	103.2	102	102
OUTCOME Measure	Impact the threat to public safety caused by criminal possession and use of firearms.	108.1	96.6	89.3	101	94.1	101	100
OUTCOME Measure	Impact the threat to public safety caused by criminal organizations.	98.3	98.6	98	98	99.8	98	100
OUTCOME Measure	Impact the threat to public safety caused by bombs and explosives.	107.1	104.3	105.8	99	84.6	99	100
OUTCOME Measure	Impact the threat to public safety caused by the criminal use of fire.	101.7	102	102.6	102	89.7	102	102
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.	99.4	101.2	101.1	91	63.7	91	103
OUTCOME Measure	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members.	103.4	102.3	104.6	102	101.6	102	102

DOJ Strategic Plan Key Performance Measures (ATF Specific)							
DOJ Strategic Goal/Objective: Goal 1, Objective 1.1; Goal 3, Objective 3.1							
	WORKLOAD/RESOURCES		Target	Actual	Projected	Changes	Requested (Total)
DOJ Strategic Objectives			FY 2020	FY 2020	FY 2021	Current Services Adjustments and FY 2022 Program Change	FY 2022 Request
Objective 1.1	Performance Measure*	Number of incidents reported to the United States Bomb Data Center via BATS.	32,000	33,538	32,000	0	32,000
Objective 3.1	Performance Measure**	Number of NIBIN “hits/leads,” that is the linkage of two or more shootings to the same firearm, based upon comparisons of 3D digital ballistic images of spent shell casings recovered from crime scenes and from crime gun test-fires.	88,000	110,981	121,000	11,000	132,000

**Note: \*Tracked internally within ATF, reviewed by ATF Executive staff and reported quarterly to DOJ.**

**Note: \*\* Tracked as a Performance indicator within the Performance Goal Measure " Impact the threat to public safety caused by illegal firearms trafficking", reviewed by ATF Executive staff and reported quarterly to DOJ.**



## D. Performance, Resources, and Strategies

### 1. Performance Plan and Report for Outcomes

The ATF Performance Index is a management tool that facilitates informed decision making regarding ATF's priorities, activities, and resources. The Performance Index aligns budget decision units with the Bureau's strategic goals, core functions and performance goal measures to provides comprehensive tracking and measurement of performance which:

- Summarizes related facts (indicators) into a single outcome (performance goal measure) to show impact, effectiveness, and progress towards established goals (targets).
- Collects trend analysis over time of the impact and effectiveness of performance goal measures (outcome) relative to the established base year.

The ATF's Executive leadership has focused on the seven mission driven core functions (highlighted in blue below) to report the ATF's outcome-based performance goal measures.

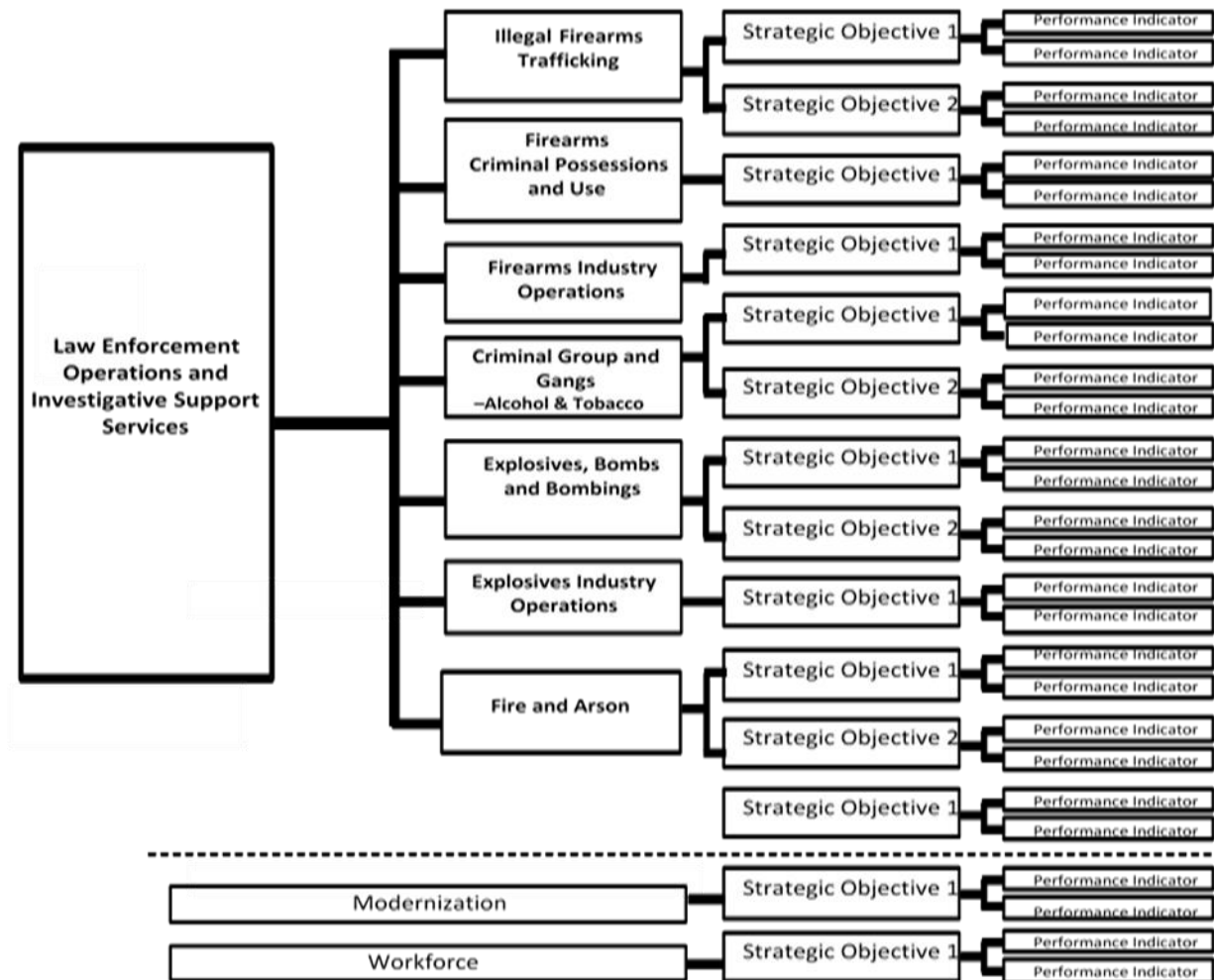
<i>Core Function</i>	<i>Performance Goal Measure</i>
<b>Deter Illegal Firearms Trafficking and Violent Gun Crime</b>	Impact the threat to public safety caused by illegal firearms trafficking.
<b>Firearms Criminal Possession and Use</b>	Impact the threat to public safety caused by criminal possession and use of firearms.
<b>Combat Criminal Organizations</b>	Impact the threat to public safety caused by criminal organizations.
<b>Firearms Industry Operations</b>	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members.
<b>Deter Misuse of Explosives, Bombs and Bombings</b>	Impact the threat to public safety caused by bombs and explosives.
<b>Research Fire and Investigate Arson</b>	Impact the threat to public safety caused by the criminal use of fire.
<b>Explosives Industry Operations</b>	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members.
<b>Modernize Our Processes and Systems</b>	Modernize business processes and systems for improved information sharing and knowledge management. Use innovative technologies to support the ATF mission.
<b>Manage Our Workforce</b>	Attract, develop, and retrain a diverse, expert, and high-performing workforce to execute the ATF mission and administrative responsibilities in the current and emerging business environment.

*Modernization and Workforce performance data is tracked at the bureau-wide level. Alcohol and Tobacco Diversion (not shown) performance data is tracked within the Combat Criminal Organizations core function.*

The ATF's performance measures support both the Law Enforcement Operations and the Investigative Support Services decision units working interdependently to demonstrate ATF's actual performance. ATF's performance data is compiled and calculated into actuals for each performance goal measure, which is measured against the established target in the budget to provide a statistical measure of achievements, assess how performance changes over time, and demonstrate how performance relates to resources. The Performance Index allows the ATF to collect and analyze data in ways that give ATF leaders the ability to:

- Recognize performance trends
- Push for organizational efficiencies
- Have needed discussions and exchange ideas
- Implement corrective action plans, if needed

The performance indicators and assigned weights are based on Executive leadership decisions that define each indicator's impact on its respective performance goal measure.



## **2. Strategies to Accomplish Outcomes**

Frontline focuses the ATF's strategies to investigate and prevent violent crime. Each of the ATF's 25 field divisions assesses the most significant violent crime threats within its area of responsibility to develop a customized strategy. Field division assessments factor in emerging crime trends, significant criminal activity, issues faced by local industry members, the proximity and priorities of Federal, State, local and other external partners, available ATF resources, and unique data and intelligence developed by the ATF, as well as other intelligence and crime-related data available through Federal, State and local partners. Field divisions and the ATF headquarters apply all of this information to safeguard the public by planning the best use of resources at the local and national level for the greatest violent crime reduction impact.

## **3. FY 2021-2022 Agency Priority Goals**

### **Reduce Violent Crime and Promote Public Safety**

By September 30, 2021, the DOJ will:

- Provide state law enforcement fusion centers biweekly reports on NICS denials 100 percent of the time.
- Will increase the number of USAO Federal firearms prohibitor records submitted by NICS by 5 percent.
- Favorably resolve 90 percent of Federal "violent crime" and firearms cases;
- Increase the number of NIBIN leads generated by 35 percent;
- Increase the number of firearms traces submitted by 3 percent;
- Increase efforts to train rural and tribal law enforcement agencies in shell casing recovery and submission to NIBIN by conducting 2 trainings;
- Ensure that every United States Attorney's Office establishes protocols for case referral guidance and provides outreach to Federal, State, local or tribal law enforcement on laws related to domestic violence abusers such as prosecuting individuals arrested with firearms that are prohibited from possessing due to a prior domestic violence conviction or protective order under 18 U.S.C. § 922(g)(9); and,
- Ensure that every United States Attorney's Office establishes protocols and provides training to Federal, State, local and tribal law enforcement on prosecuting hate crimes.

## **V. Program Increases by Item**

**Item Name:** **Crime Gun Intelligence**

Strategic Goal 3: Reduce Violent Crime and Promote Public Safety

Budget Decision Unit(s): Law Enforcement Operations

Organizational Program: NIBIN

Program Increase: Positions 12 Agt/Atty 0 FTE 6 Dollars \$5,336,000

### **Description of Item**

#### **NIBIN**

##### **CGI and Enforcement Enhancement.** .

The ATF Firearms Operations Division (FOD) identified avenues to enhance application of evidence-based intelligence to operations targeting the most violent offenders. The ATF requests \$5.34 million and 12 positions to expand the agency's impact on violent crime nationwide and support Department of Justice (DOJ) activities to reduce firearm related violent crime. This will increase ATF's capability to perform NIBIN correlation reviews and training for law enforcement agencies nationwide at the NNCTC. It will supply NIBIN equipment and program support for five ATF field divisions in accordance with the DOJ MOU to support our Federal partners in the Division NIBIN Program and Field Support (*Phase one*).

### **Justification**

#### **NIBIN**

As previously discussed, within the ISS DU section, the ATF employs a comprehensive violence reduction strategy in partnership with state and local law enforcement to reduce victimization, increase culpability, and break the cycle of firearm related violence through technology. The FOD relies heavily on NIBIN, the only interstate automated ballistic imaging network in operation in the United States, which is available to every major population center. NIBIN employs an integrated investigative approach, working in concert with Federal, State, tribal, and local law enforcement agencies to combat firearms-related violence by using technology to compare images of ballistic evidence obtained from crimes scenes and recovered firearms.

NIBIN is a proven investigative and intelligence tool that can identify leads that were not previously available; can link firearms evidence from multiple crime scenes together that were committed with the same firearm; and can link firearms evidence from a crime scene to a recovered firearm. The foundational components of FOD's program are rooted with NIBIN technology, each adding value by improving different parts of the process. Combined, these key

components support the overall mission to reduce firearms violence through aggressive targeting, investigation, and prosecution of shooters and their sources of crime guns.

#### *FOD Component: NNCTC Huntsville*

The NNCTC's consistent and timely turnaround of NIBIN leads to CGICs and the ATF's law enforcement partners provides investigators relevant and valuable information to more quickly identify and apprehend violent offenders before they can reoffend. The NNCTC currently processes approximately 1,000 correlation reviews per day, servicing 83 NIBIN sites and providing NIBIN lead referrals to over 700 police departments that contribute evidence to these sites. Approximately 55 additional NIBIN sites have requested acceptance to the NNCTC.

The ATF has promised law enforcement partners continued growth to provide correlation review service for all sites on the NIBIN network that request it. To assure capacity is equal to demand, ATF has created a phased approach for expansion of the NNCTC. The table below demonstrates one reason for the need for additional resources in FY 2022: the success of the NIBIN Program and the NNCTC itself.

NIBIN Statistics									
	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021 (Oct 20 to Feb 21)	FY 2021 (Projected )	% Increase FY 2015 to FY 2020 (Final)
Partner Sites/1	152	155	167	183	211	235	243	255	55%
Acquisitions/2	205,271	238,873	283,212	320,472	384,247	472,952	222,853	520,000	130%
Leads/3	10,091	23,635	41,495	47,056	67,639	104,206	53,950	114,225	932%
Hits/4	7,925	9,677	8,654	7,630	6,484	6,775	2,751	6,775	-14.5%
/1	The number of Partner Sites is exclusive to non-ATF NIBIN Acquisition Sites and does not include the three ATF NIBIN Labs, the ATF Transportable Units, or NIBIN Vehicles								
/2	Acquisitions represent the digital imaging of various firearm-related markings present on cartridge casings entered into NIBIN.								
/3	Leads represent an unconfirmed, potential association between two or more pieces of firearm ballistic evidence based on a correlation review of the digital images in the NIBIN database by either a firearms examiner or a trained NIBIN technician. They are intended to provide a lead for investigative purposes.								
/4	Hits represent the result of two or more firearms ballistic evidence acquisitions that have been confirmed as a match by a firearms examiner. Hits are based on correlation review of digital images using MatchPoint Plus™ and microscopic confirmation by a firearms examiner. This information/intelligence can be used for investigative purposes and is suitable for court purposes.								

Upon joining the NNCTC, NIBIN sites are able to focus on entries and, generally, their number of NIBIN acquisitions rises. The proliferation of NIBIN sites requires continued expansion of the NNCTC and the valuable service it provides.

In FY 2021, the NNCTC will have approximately over 200 contracted Correlation Review Specialists (CRSs) to provide correlation service for network sites. However, with NIBIN coverage expanding, so will the need for additional personnel to continue to provide value to ATF and its partners in combatting violent crime and timely disruption of shooters. This component includes the addition of two Firearm and Tool Mark Examiners, three IBIS Technicians, two project officers and two program analysts.

*FOD Component: Division NIBIN Program (Phase One)*

To ensure all firearms the ATF takes into custody are entered into NIBIN in a timely manner, field divisions must have access to NIBIN acquisition equipment. NIBIN equipment would be placed at the division office, where it would be accessible not only to ATF agents but to other Federal partners as well. This initiative includes an increase of sixteen contractors for overall CGI and program support along with three additional program analysts to support contract management and oversight.

**Impact on Performance**

**NIBIN**

In FY 2022, the ATF plans to utilize the budget increase to reduce gun crime violence, consistent with the Attorney General's, DOJ's, and the ATF's strategic and targeted priorities. The funding will ultimately contribute to bolstering the following initiatives and greater results:

*FOD Component: NNCTC Huntsville*

The expansion of the NNCTC FTE personnel will allow the ATF to provide critical ballistic evidence processing, through NIBIN, to additional state and local agencies and the ATF Field Divisions. First, the NNCTC provides extremely timely lead generation not usually seen at the local site level. In addition, it eliminates the image review backlog that can quickly occur when NIBIN sites are responsible for both acquisition and review of images. This saves local agencies money by eliminating the need to purchase both acquisition and review machines, eliminates the need to devote personnel to correlation reviews, and provides a quicker turnaround time for investigators to get valuable leads on recent shootings. Overall, these advancements will enhance the capabilities of the ATF and its partners to utilize crime gun intelligence to directly focus on violent crime, remove repeat violent offenders, and create safer communities.

*FOD Component: ATF Field Division NIBIN Program (Phase One)*

Placing NIBIN equipment in field division offices would provide access for other Federal agencies, eliminate logistical barriers to NIBIN entry, and simplify compliance with existing DOJ policy for all DOJ agencies to enter recovered firearms into the NIBIN network.

## Funding

### 1. Base Funding

FY 2020 Enacted				FY 2021 Enacted				FY 2022 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
35	17	32	45,700	35	17	32	56,404	35	17	32	56,404

### 2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position* (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Miscellaneous Operations (0001-0099)	12	69.5	129.9	189.5	833	725	705
<b>Total Personnel</b>	<b>12</b>				<b>833</b>	<b>725</b>	<b>705</b>

\* Annual Costs per Position:

1st Year Adjusted Cost assumes hiring at the minimum grade level and applies a 50 percent lapse to pay and benefits, reflecting the distribution of hiring new personnel throughout an entire year.

2nd Year Adjusted Cost restores the pay and benefits lapse, removes one-time only costs that are applicable only to the first year, and assumes an increase in pay grade where applicable.

3rd Year Full Cost (Modular) is the standardized full-year cost for each position which includes pay and benefits at the full performance or journeyman level, equipment, training, and miscellaneous expenses.

### 3. Non-Personnel Increase Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Field Division Support	4,503	4,503	1	90	92
<b>Total Non-Personnel</b>	<b>4,503</b>	<b>4,503</b>		<b>90</b>	<b>92</b>

### 4. Justification for Non-Personnel Annualizations

*NIBIN*

Out-year funding is requested with an estimated 2.1 percent inflation rate. Other funding required for out-year costs is associated with equipment replacement or upgrade and additional

contractors, along with the cost of supporting the contractors brought on board with these initiatives.

## 5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	35	17	32	4,800	51,604	56,404	61,740	61,830
Increases	12	0	6	833	4,503	5,336	90	92
<b>Grand Total</b>	<b>47</b>	<b>17</b>	<b>38</b>	<b>5,633</b>	<b>56,107</b>	<b>61,740</b>	<b>61,830</b>	<b>61,922</b>

## 6. Affected Crosscuts: National Security, Violent Crime, Gun Safety, Southwest Border, and Mass Violence



**Item Name:** **Forensic Services**

Strategic Goal 3: Reduce Violent Crime and Promote Public Safety

Budget Decision Unit(s): Investigative Support Services

Organizational Program: Forensic Services

Program Increase: Positions 29 Agt/Atty 0 FTE 14 Dollars \$4,318,000

### **Description of Item**

#### **Forensic Services**

The ATF requests \$4,318,000 and 29 positions for the initial development of a high-throughput, rapid-processing unit for analysis of DNA from fired cartridge cases (FCCs). The requested funds support the first phase of a multi-year expansion, which will develop laboratory capacity to handle submissions of approximately 12,000 FCCs annually, includes the following components:

- \$2,014,000 for 29 positions (including case manager(s), CODIS specialists, laboratory technicians, forensic biologist examiners and supervisory biologists)
- \$1,070,000 for laboratory equipment
- \$500,000 for FCC collection devices
- \$734,000 for annual operations and maintenance

This initiative requests funding for staffing and the necessary equipment to conduct forensic DNA analysis on FCCs recovered from violent gun crimes. FCCs have typically not been processed for DNA processing for several reasons:

- Historically, there has been very poor success rates in developing a DNA profile suitable for searching in the CODIS database or comparing to a suspect.
- The process is extremely labor intensive and time-consuming.
- Forensic laboratory backlogs do not allow sufficient time for DNA processing, which is bypassed to allow for timely entry of FCC data into the NIBIN database.

Full funding of the Forensic Services initiative would provide for a dedicated unit to perform DNA analysis on FCCs, creating a streamlined, assembly-line method of processing that would incorporate robotic techniques to automate portions of the analysis. This unit would use novel methods that have shown excellent success rates (35 percent per individual FCC, and 71 percent for a set of FCCs associated with the same firearm).

Staffing requested includes lower-graded technicians who would accomplish processing of FCCs in preparation for analysis by expert forensic biologists, and CODIS specialists for efficient entry

of recovered DNA profiles into the national database. Collectively, these personnel will provide timely leads to criminal investigators.

Equipment requested includes all the necessary laboratory instruments, including robotics, and procurement of FCC collection devices for distribution to our Federal, State, and local law enforcement partners to effectively collect and preserve evidence for processing.

## **Justification**

### **Forensic Services**

Fired cartridge cases (FCCs) are frequently the only evidence available following violent gun crimes. Due to past challenges in recovering usable latent prints or DNA from FCCs, the ATF's criminal investigators and state and local partners have had limited forensic tools to connect suspects to violent gun crimes. Aware of this need, the ATF Forensic Science Laboratory developed a new method for collection and analysis of DNA from FCCs that has been shown to be effective in real world samples from actual shooting incidents.

Following the ATF's mandate that cartridge cases from crime scenes be entered into NIBIN within 48 hours of collection, there has been an unintended consequence of the loss of forensic evidence from these items due to laboratory turnaround times. This initiative would allow criminal investigators to capitalize on the benefits of both NIBIN for linking multiple shooting scenes to one another and the forensic laboratory for linking evidence from a shooting scene to an individual. The forensic analysis of DNA from an FCC in combination with the strength of the NIBIN database will be a formidable tool in the fight against violent gun crime. This initiative would greatly improve both the efficiency and timeliness of DNA analysis thereby allowing for rapid entry of the FCCs into the NIBIN database.

The ATF is dedicated to reducing violent crime and its forensic laboratory maintains the specialized skills and knowledge necessary to implement this service on a large scale. Knowing that the successful analysis of DNA from cartridge cases begins at the crime scene, the ATF laboratory designed and patented a cartridge case collection device specifically targeted to this type of evidence. Distribution of the collection device for use by all levels of law enforcement will improve the preservation of the evidence and lead to greater recovery of DNA. Traditionally, cartridge cases have been collected and stored together in paper envelopes or plastic bags resulting in loss of DNA or contamination.

The process developed by the ATF for recovering DNA from FCCs has shown exceptional rates of success; however, it has been in limited use due to insufficient laboratory staffing. No other laboratory has specialized in the recovery of DNA from FCCs. Those that have attempted to implement FCC processing on smaller scale have been plagued by the inherent inefficiencies or poor success rates associated with prior methods. By fully funding this initiative, the laboratory can capitalize on the efficiencies associated with an assembly line style of processing, the use of robotics and economies of scale.

## **Impact on Performance**

### **Forensic Services**

Recovering DNA from FCCs found at violent gun crime scenes, can provide timely forensic evidence for leads to in-progress investigations when the recovery results in a “hit” from the ODIS database. This initiative will enable rapid processing of evidence, so leads can be provided to investigators while they are still hot. In addition, the laboratory will have the capacity to provide follow-up comparisons to known DNA samples, providing evidence that can be used in criminal trials, in furtherance of this objective.

This capability will contribute to swift apprehension of violent criminals and prevention of additional violent gun crimes. It directly aligns with the intent of DOJ initiatives such as Operation LeGend which aimed at combatting violent crime in America’s most violent cities. Following laboratory-based method development, initial studies of the efficacy of this method for analyzing DNA from FCCs was field tested on evidence from violent gun crimes. These studies showed that when applied without delay, these techniques directly resulted in leads to investigators via CODIS hits for cases that previously did not have suspects.

The first phase of this initiative requests a single unit of 29 staff members and necessary equipment. The unit is sized for full and efficient utilization of a single set of laboratory instrumentation, and is expected to process approximately 12,000 FCCs annually. This capacity corresponds to approximately 1,000-2,000 criminal investigations, depending on the number of shots fired and the size and complexity of the investigation. This initiative cannot be scaled down in size or scope without compromising the efficiencies designed into the process. Capital equipment costs would not be significantly reduced and some productivity would be lost.

The ATF has a unique expertise in the application of forensic DNA techniques to challenging samples and complex data. The use of advanced DNA analysis methods, using novel techniques and complex analytical strategies to assist in combating violent crime perfectly leverages these unique capabilities.

## Funding

### 1. Base Funding

FY 2020 Enacted				FY 2021 President's Budget				FY 2022 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
0	0	0	0	0	0	0	0	0	0	0	0

### 2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position* (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Forensic Biologist (0401)	26	69.5	129.9	189.5	1,805.7	1,570.2	1,528.1
Evidence Control Specialist (0301)	1	69.5	129.9	189.5	69.5	60.4	58.8
Program/Management Analyst (0343)	2	69.5	129.9	189.5	139.9	120.8	117.6
<b>Total Personnel</b>	<b>29</b>				<b>2,015.1</b>	<b>1,751.4</b>	<b>1,704.5</b>

\* Annual Costs per Position:

1st Year Adjusted Cost assumes hiring at the minimum grade level and applies a 50 percent lapse to pay and benefits, reflecting the distribution of hiring new personnel throughout an entire year.

2nd Year Adjusted Cost restores the pay and benefits lapse, removes one-time only costs that are applicable only to the first year, and assumes an increase in pay grade where applicable.

3rd Year Full Cost (Modular) is the standardized full-year cost for each position which includes pay and benefits at the full performance or journeyman level, equipment, training, and miscellaneous expenses.

### 3. Non-Personnel Increase Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Laboratory Equipment	1,000	1,000	1	1,000	(333)
Laboratory Collection Devices	500	500	1	(500)	0
Laboratory Equipment/Software Maintenance	74	74	1	74	0
Laboratory Supplies	600	600	1	500	0
Laboratory Operating Costs	130	130	1	124	0

<b>Total Non-Personnel</b>	<b>2,304</b>	<b>2,304</b>		<b>1,198</b>	<b>(333)</b>
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#### 4. Justification for Non-Personnel Annualizations

##### *Forensic Services*

This initiative supports a set of specialized forensic instruments, equipment, and software and 29 staff members to conduct high-throughput DNA analysis on FCCs and enter DNA profiles into CODIS. Robots will be used to rapidly extract the biological material from FCC samples and transfer those samples into plates used by other instruments. Specialized software is used to analyze the samples, interpret the data, conduct statistical calculations, and assist with uploading DNA profiles to CODIS.

Annual service is required to maintain instruments at peak performance. Should a break down occur, the service agreement obligates the vendor to make repairs in an expedited manner to minimize instrument downtime.

Forensic DNA analysis is performed using commercially available kits, chemicals and supplies from sample collection through final instrument processing. These supplies include cartridges and consumables used on the robots and genetic analysis instruments, personal protective equipment (PPE) for staff and cleaning/decontamination supplies that are necessary when working with low levels of DNA that are present on FCC's.

Additional operational costs are required to cover travel for court testimony, personnel proficiency testing, and FCC shipping costs.

#### 5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	0	0	0	0	0	0	0	0
Increases	29	0	14	2,014	2,304	4,318	1,751.4	1,704.4
<b>Grand Total</b>	<b>29</b>	<b>0</b>	<b>14</b>	<b>2,014</b>	<b>2,304</b>	<b>4,318</b>	<b>1,751.4</b>	<b>1,707.4</b>

#### 6. Affected Crosscuts: Intelligence, National Security, Violent Crime, Gun Safety, and Transnational Crime.

**Item Name:** FFL Theft, Outreach and Compliance

**Strategic Goal:** Reduce Violent Crime and Promote Public Safety

**Budget Decision Unit(s):** Law Enforcement Operations

**Organizational Program:** FFL Burglaries and Robberies  
Illegal Firearms Trafficking

**Program Increase:** Positions 84 Agt 0 FTE 43 Dollars \$12,736,000

### **Description of Item**

The ATF's primary mission is to fight violent firearms crime and protect the public. The ATF has the statutory authority to investigate these violent firearms crimes, including burglaries and robberies of FFLs. The ATF has prioritized the investigation of FFL burglaries and robberies because every firearm stolen from FFLs pose a threat to community safety as well as our law enforcement partners.

### **Justification**

Stolen firearms are crime guns; they fuel illicit trafficking and are used by violent criminals to terrorize our communities. CY 2020 saw an increase in the number of FFL burglaries and robberies.

The ATF's IOIs and SAs investigate all FFL burglaries and robberies. With the increase of burglaries and robberies in 2020, other program initiatives such as firearms trafficking investigations and tobacco inspections, and the attrition of IOIs, the need for additional personnel and resources is evident. The number of field IOIs conducting inspections has declined for the last four years, from 626 in 2017, 624 in 2018, 607 in 2019, and 565 in 2020.

One of the ATF's major functions is to reduce the risk to public safety caused by criminal possession and use of firearms. In accordance with Federal law, ATF IOIs, SAs, and IRSs investigate and analyze firearms-related criminal offenses, including the burglary and robbery of FFLs. Intelligence information gained through case-by-case analysis assists in identifying criminal methodologies, groups, and preferred target vulnerabilities. FFLs are statutorily required to report the theft or loss of firearms from their inventories to the ATF as well as to state or local law enforcement.

IOIs work with FFLs to develop and enrich positive working relationships. Currently, FFLs do not have any Federal requirements to secure their premises or inventory to prevent the theft or loss of firearms. IOIs conduct outreach seminars for FFLs to encourage security awareness and provide them with ATF Publication 5380.1, Loss Prevention for Firearm Retailers, during each qualification and compliance inspection. Additionally, analysis of FFL case reporting indicates FFL owners recall suspicious individuals surveilling the premises attempting to conceal their identity, appearing to identify internal premises layout, and asking vague questions regarding firearms types usually within days before the burglary incident occurred. These positive

relationships built and nurtured between FFLs and IOIs contributes to FFLs divulging these details and working towards better inventory security.

The aforementioned positive cooperative relationship fostered between the ATF and FFLs was apparent during the civil unrest that occurred throughout the country beginning in May 2020. At the outset of the unrest, the ATF began contacting FFLs requesting added vigilance in securing firearms inventory and the reporting of burglaries and suspicious activity. In addition to personal phone contacts, the ATF sent out approximately 120 separate automated alerts to thousands of FFLs in response to burglaries or potential unrest in affected geographic areas. Throughout the civil unrest, the ATF's National Tracing Center received notification of approximately 52 burglaries of FFL businesses with approximately 1,512 firearms reported stolen (650 percent increase in burglaries over the same time in 2019). However, the proactive measures taken by FFLs to secure their business and firearms inventory resulted in at least 51 self-reported unsuccessful FFL burglaries where no firearms were stolen during this same time period. While the relationship between the ATF's proactive FFL outreach posture and failed gun store burglaries during the civil unrest is not fully known, during the rioting and looting in multiple cities, numerous attempted FFL burglaries occurred where no firearms were stolen.

SAs conducted 334 criminal investigations involving FFL burglaries and robberies in 2019. As a result, 244 defendants were identified in investigations documented in N-Force, ATF's legacy case management system. Of the 244 identified defendants, 139 were arrested and/or indicted. Of these 139 arrested and/or indicted individuals, 52 have been convicted and 31 sentenced. It is important to note that the ATF also collaborates with State and local law enforcement agencies to investigate FFL burglaries and robberies in which FFL suspects may be prosecuted at the State level. It should also be mentioned here, that juveniles arrested for FFL burglaries and robberies will generally not be charged federally due to established Federal guidelines, and that charges involving juveniles will be pursued at the state level.

Overall, FFL burglaries play a major role in the total amount of FFL firearms stolen. Also, analysts assess with high confidence that the aforementioned initiatives, strategic plans, and operations conducted by the ATF and other law enforcement agencies remained a major factor in deterring FFL burglary suspects. Analysts also assess with high confidence that these law enforcement initiatives have attributed to the decrease in FFL burglaries and overall number of FFL stolen firearms for a second consecutive year.

In CY 2019, law enforcement recovered approximately 23 percent of firearms stolen in FFL burglaries that occurred within the same year. The recovery rate remains consistent from previous calendar years. Analysis suggests that burglary suspects preferred to target Type 01 (Dealers) and Type 02 (Pawnbroker) FFLs in commercial standalone structures versus other types of business premises.

In CY 2019, the ATF recovered 1,069 firearms reported as stolen from FFL burglaries and/or robberies; 237 of these firearms met the criteria for a NIBIN submission test-fire. Of the 237 firearms, 222 were linked to FFL burglary incidents and 15 for FFL robbery incidents. Additional examination indicates 16 (7 percent) are connected to firearms ballistic evidence within the NESS. They are commonly known as a confirmed hit and associated to a criminal

offense. The crimes associated with these confirmed hits range from robberies and assaults to homicides, and include attempts, weapon violations, and narcotics-related crimes. Nearly all of these NIBIN confirmed hits are within the same state where the actual FFL theft occurred.

**FFL Burglary and Robbery Stolen Firearms  
CY 2019 Incidents with NIBIN Confirmed Hits**

Category	# of Firearms	Percentage
Recovered Stolen Firearms Linked to Burglary and Robbery	1,069	
Recovered Stolen Firearms Linked to NIBIN Test Fire	237	22%
Recovered Stolen Firearms Linked to NIBIN Test Fire	237	
Recovered Stolen Firearms Linked to NIBIN Confirmed Hit	16	7%
ATF NIBIN Confirmed Hit	1	1%
Other LE Agencies NIBIN Confirmed Hit	15	6%

This request for an additional 79 IOI positions would provide the ATF with the necessary resources to enhance and optimize response, analysis, and outreach. Additionally, it will allow the ATF to prioritize the investigation of every FFL burglary and robbery, thus working to reducing violent firearms crimes in our communities.

The ATF will leverage its existing CGICs by adding additional investigative capacity with 5 additional IRS positions to develop actionable intelligence and leads to identify and disrupt suspected shooters, firearm traffickers, straw purchasers, and known illegal sources of firearms.



## Funding

### 1. Base Funding

FY 2020 Enacted				FY 2021 President's Budget				FY 2022 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
60	53	60	11,235	60	53	60	11,235	60	53	60	11,235

### 2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position* (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Intelligence (0132)	5	69.5	60.4	58.8	347	302	294
Inspection, Investigation, Enforcement Analyst (1801)	79	92.0	65.6	58.8	7,268	5,183	4,643
<b>Total Personnel</b>	<b>84</b>				<b>7,615</b>	<b>5,485</b>	<b>4,937</b>

\* Annual Costs per Position:

1st Year Adjusted Cost assumes hiring at the minimum grade level and applies a 50 percent lapse to pay and benefits, reflecting the distribution of hiring new personnel throughout an entire year.

2nd Year Adjusted Cost restores the pay and benefits lapse, removes one-time only costs that are applicable only to the first year, and assumes an increase in pay grade where applicable.

3rd Year Full Cost (Modular) is the standardized full-year cost for each position which includes pay and benefits at the full performance or journeyman level, equipment, training, and miscellaneous expenses.

### 3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Modernization for National Tracing Center	\$4,071	\$4,071	1	\$0	\$0
Major Inspection Team	\$250	250	1	\$0	\$0
Financial Analysis Contractors	\$800	\$200	4	\$0	\$0
<b>Total Non-Personnel</b>	<b>\$5,121</b>			<b>\$0</b>	<b>\$0</b>

The request includes personnel and contractors to provide additional and ongoing coordination, intelligence briefs, investigatory operations and inspections. Specifically included are:

- Updating of the software, servers and hardware needed to collect and house data.
- Travel costs for our MIT investigators to perform localized and concentrated inspections.
- Approximately four contractors to exploit the financial data and develop the networks.
- As the number of trace requests continue to increase, it is imperative to modernize the NTC in order for the NTC to process traces expeditiously and provide enhanced criminal intelligence. \$4.071 million is requested to modernize the NTC by updating software and hardware systems, which have been in use for over 30 years.

#### 4. Justification for Non-Personnel Annualizations

The MIT personnel will need to travel to the ATF field divisions to conduct coordinated targeted annual inspections, at least once per year for up to one month per trip. Each MIT averages 10 personnel, and each individual detail costs \$6,250 per month. Travel to 4 field divisions for up to a month each requires \$250,000 per year (10 personnel x \$6,250 x 4 locations x 1 month).

Financial analysts facilitate the identification of firearms trafficking networks through the cash and monetary transactions. These contractors are a continuing requirement; therefore, the annual cost (four contractors x \$200,000 each = \$800,000) is completely recurring.

#### 5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	60	53	60	7,303	3,932	11,235	337	347
Increases	84	0	43	7,615	5,121	12,736	5,485	4,937
<b>Grand Total</b>	<b>144</b>	<b>53</b>	<b>103</b>	<b>14,918</b>	<b>9,053</b>	<b>23,971</b>	<b>5,822</b>	<b>5,284</b>

#### 6. Affected Crosscuts: Violent Crime, Gun Safety, and National Security.

**Item Name:** TFO Body Worn Camera

Strategic Goal 3: Reduce Violent Crime and Promote Public Safety

Budget Decision Unit(s): Law Enforcement Operations

Organizational Program: Special Operations

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$1,000,000

### **Description of Item**

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) requests \$1,000,000 to provide digital case management software and video cloud storage from the body worn cameras (BWCs) of federally-deputized Task Force Officers (TFOs). This funding will allow the ATF to support digital cloud storage of BWC video for TFOs whose parent agency mandates the use of BWCs while they serve on Federal task forces.

### **Justification**

The Department announced in October 2020 that DOJ “will permit state, local, territorial, and tribal task force officers to use body worn cameras on Federal task forces around the nation. The Department’s policy will permit federally-deputized officers to activate a body worn camera while serving arrest warrants, or during other planned arrest operations, and during the execution of search warrants.” The policy is the result of a pilot program launched by the Department in October 2019 and applies to the extent that a TFO’s parent agency requires BWC use by its officers during Federal task force operations.

Funding will support the TFO and the TFO’s parent agency by providing data and video storage software and capacity for some of the TFO’s BWC video while the TFO is serving on a Federal task force directed by the ATF. Video storage is one of the most costly aspects of a BWC program, and Federal support for these digital storage requirements will allow the ATF to maintain and increase partner agency participation in the Department’s task forces.

The Department’s policy, *Use of Body Worn Cameras by Federally Deputized Task Force Officers*, applies to the extent that a TFO’s parent agency requires BWC use by its officers during Federal task force operations. This funding will not be used to purchase camera hardware, as the hardware will be provided by the parent agency.

As outlined in the Department’s policy, “all TFO BWC recordings made during Federal task force operations, including such recordings retained by the TFO’s parent agency and/or in the possession of any third party engaged by the parent agency to store or process BWC recordings, shall be deemed Federal records of the Department and the Federal agency sponsoring the task force pursuant to the Federal Records Act.” Furthermore, the policy directs that “TFO BWC recordings are controlled by, and the property of, the Department and will be retained and

managed by the Federal agency sponsoring the task force. The Federal agency sponsoring the task force is responsible for considering requests to release TFO BWC recordings.”

The Joint Law Enforcement Operations (JLEO) program serves ATF by facilitating the deputation of state and local law enforcement as Federal TFOs to act as a critical force multiplier and assist ATF fulfill its mission of protecting the public by combatting violent crime, which is aligned with the Attorney General’s priorities for DOJ. TFOs are a vital part of the ATF’s plan to target violent criminal organizations, serial shooters, other violent offenders and the firearm traffickers that facilitate violent crime by providing offenders with firearms and ammunition. TFO’s provide the ATF with critical knowledge of high crime areas and known violent offenders, access to state and local police department assets and serve as a force multiplier during enforcement operations. The ATF has over 900 TFOs and over 250 part-time Special Deputies with 565 state and local law enforcement agencies.

The use of BWC by the ATF’s state and local partners has become a useful tool to improve community relations, lower the number of citizen complaints, defend officers against false accusations, increase accountability, and improve officer training and evaluation. As such, allowing our partner agencies to act in accordance with their internal policy by wearing body-worn cameras pursuant to and with direction from the DOJ policy, will allow those partner agencies that were previously prohibited from participating on an ATF Federal Task Force to reconsider.

The digital evidence cloud storage includes 2.5 petabytes of storage and case management functions which include; bulk actions, access controls, optimized reporting metrics, access or sharing of evidence to prosecutors with a secure link. In addition, funding is required for field training of the case management system. The cost for year two of the storage, training, and services is \$1,000,000.

### **Impact on Performance**

The digital evidence cloud storage will allow the ATF Task force groups to successfully continue working with little to no negative impact on performance. A digital evidence management cloud storage system will allow each agency to reduce the time spent on making copies to a portable storage format and allow each agency to share, when necessary, the data collected and maintained per the DOJ policy. A third-party digital storage solution is estimated to generate net savings of approximately \$5,500,000 per year compared to onsite storage.

Since the DOJ TFO BWC policy was implemented, several ATF partner agencies have created and implemented BWC programs. The use of BWCs will allow partner agencies previously prohibited from participating on ATF task forces to provide TFOs. TFOs are a vital part of the ATF’s plan to target violent criminal organizations, serial shooters, other violent offenders and the firearm traffickers that facilitate violent crime by providing offenders with firearms and ammunition. TFOs provide ATF with critical knowledge of high crime areas and known violent offenders, access to state and local police department assets and serve as a force multiplier during enforcement operations. Finally, access to these Federal records may assist all components in addressing critical incidents in a timely manner.

## Funding

### 1. Base Funding

FY 2020 Enacted				FY 2021 President's Budget				FY 2022 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
0	0	0	0	0	0	0	0	0	0	0	0

### 2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position* (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
N/A							
<b>Total Personnel</b>							

### 3. Non-Personnel Increase Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
TFO Body Worn Cameras	1,000	1,000	1	0	0
<b>Total Non-Personnel</b>	<b>1,000</b>	<b>1,000</b>	<b>1</b>	<b>0</b>	<b>0</b>

### 4. Justification for Non-Personnel Annualizations

Out-year funding will be required for this program and will be provided as part of the FY 2023 budget request.

## 5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	0	0	0	0	0	0	0	0
Increases	0	0	0	0	1,000	1,000	0	0
<b>Grand Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,000</b>	<b>1,000</b>	<b>0</b>	<b>0</b>

## 6. Affected Crosscuts: National Security and Violent Crime